

AGENDA

Regular Meeting

of the

CITY COUNCIL OF THE CITY OF TROY

APRIL 19, 2004

CONVENING AT 7:30 P.M.

**Submitted By
The City Manager**

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: John Szerlag, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

This booklet provides a summary of the many reports, communications and recommendations that accompany your Agenda. Also included are suggested or requested resolutions and/or ordinances for your consideration and possible amendment and adoption.

Supporting materials transmitted with this Agenda have been prepared by department directors and staff members. I am indebted to them for their efforts to provide insight and professional advice for your consideration.

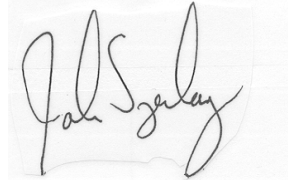
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

Goals

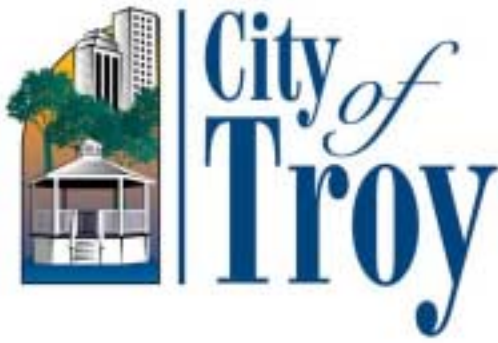
1. Minimize cost and increase efficiency of City government.
2. Retain and attract investment while encouraging redevelopment.
3. Effectively and professionally communicate internally and externally.
4. Creatively maintain and improve public infrastructure.
5. Protect life and property.

As always, we are happy to provide such added information as your deliberations may require.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Szerlag", is written over a light gray grid background.

John Szerlag, City Manager



CITY COUNCIL

AGENDA

April 19, 2004 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

CALL TO ORDER 1

INVOCATION & PLEDGE OF ALLEGIANCE – Pastor Dennis Wegner – Troy Church of the Nazarene 1

ROLL CALL 1

PRESENTATION: 1

A-1 (a) Citizens Academy Graduation; (b) Service Commendation – Rose Otto; (c) Service Commendation – Judy Herman; (d) League of Women Voters – Troy Area – Celebrating 30 Years 1

CARRYOVER ITEMS: 1

B-1 Amendment to Rules of Procedure – (a) Proposed Amendment by Council Member Beltramini from the Regular Meeting of March 1, 2004 and Postponed to the Regular Meeting of April 12, 2004 and (b) City Management Recommends Resolution B to Postpone Amendment to Rules of Procedure to Study Session “H” 1

PUBLIC HEARINGS: 2

C-1 Commercial Vehicle Appeal – 6881 Westaway 2

C-2 Commercial Vehicle Appeal – 5184 Rochester 3

C-3 Parking Variance Request – 440 E. Maple 5

C-4 Parking Variance Request – 345 Minnesota 7

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3317 or via e-mail at clerk@ci.troy.mi.us at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

POSTPONED ITEMS: **8**

- D-1** Ladd's Inc. 5-Acre Parcel Appraisal from the Regular Meeting of March 15, 2004 8

PUBLIC COMMENT: **9**

- A.** Items on the Current Agenda 9

- B.** Items Not on the Current Agenda 9

CONSENT AGENDA **9**

- E-1** Approval of Consent Agenda 9

- E-2** Minutes: Regular Meetings of April 12, 2004-7:30 PM and April 12, 2004-8:00 PM 10

- E-3** Proposed City of Troy Proclamations: 10

- (a) Proclamation – Recording for the Blind & Dyslexic Week - April 19-April 24, 2004 10
- (b) Proclamation - Service Commendation – Rose Otto 10
- (c) Proclamation - Service Commendation – Judy Herman 10
- (d) Proclamation - Celebrating 30 Years - League of Women Voters – Troy Area. 10

- E-4** Request for Acceptance of Permanent Easements for Sanitary Sewer, Water Main, Pedestrian Access, Public Walk and Emergency Vehicle Access – Sidwell #88-20-23-354-027, -028, -029, -030, -031, -041, and -042 – Project No. 03.914.3 – Rochester Commons PUD 10

- E-5** Standard Purchasing Resolution 1 – Award to Low Bidders - Aggregates 11

- E-6** Private Agreement – Freund Site Condominiums – Project No. 02.924.3 11

- E-7** Standard Purchasing Resolution 3 – Option to Renew – Automobile, Light Truck, Farm and Construction Equipment Replacement Parts 11

- E-8** Request for Acceptance of Permanent Sanitary Sewer Easement & Permanent Water Main Easement– Sidwell #88-20-35-400-020, – Project No. 03.938.3 – Lord & Taylor, Oakland Mall 12

- E-9** Act 51 Mileage Certification for 2003 12

E-10	Standard Purchasing Resolution 1: Award to Low Bidder – 60,000 GVW Tandem Catch Basin Cleaner – Less Trade-In	12
E-11	Announcement of Public Hearing – Community Development Block Grant (CDBG) Re-Programming of Year 2002 Funds	13

REGULAR BUSINESS **13**

F-1	Appointments to Boards and Committees: (a) Mayoral Appointments: 1. Civil Service Commission (Act 78); 2. Brownfield Redevelopment Authority; 3. Downtown Development Authority; 4. Economic Development Corporation and (b) City Council Appointments: 1. Advisory Committee for Persons with Disabilities; 2. Advisory Committee for Senior Citizens; 3. Board of Zoning Appeals; 4. Employee Retirement System Board of Trustees; 5. Troy Daze	13
F-2	Closed Session – No Closed Session requested.	20
F-3	Final Site Condominium Review – Sussex (fka Freund) Site Condominium, East Side of Adams Road, South of Square Lake Road, Section 7 - R-1A	20
F-4	Water Main Replacement Work as Part of RCOC Maple Road Project – Project No. 03.501.5	21
F-5	Troy Fire Incentive Plan for Volunteer Firefighters	21
F-6	Preliminary Site Condominium Review – Hidden Forest Site Condominium – South Side of Wattles – East of Livernois – Section 22-R-1C	21

COUNCIL COMMENTS/COUNCIL REFERRALS – No Items advanced. **22**

REPORTS AND COMMUNICATIONS **22**

G-1	Minutes – Boards and Committees:	22
	(a) Ethnic Issues Advisory Board/Final – March 2, 2004	22
	(b) Advisory Committee for Persons with Disabilities/Draft – March 4, 2004	22
	(c) Advisory Committee for Persons with Disabilities/Final – March 4, 2004	22
	(d) Board of Review -Annual Report-2004 Assessment Roll & Minutes/Final- March 23, 2004 (<i>Note: Board of Review Minutes are attached as a separate document and/or can be viewed at the Library or City Clerk's Office</i>)	22
	(e) Planning Commission Special-Study/Final – March 23, 2004	22
G-2	Department Reports:	22

	(a) Permits Issued During the Month of March 2004	22
	(b) Quarterly Financial Report - March 31, 2004.....	22
G-3	Announcement of Public Hearings: No Public Hearing Announcements submitted.	22
G-4	Green Memorandums: No Green Memorandums submitted.	22
G-5	Proposed Proclamations/Resolutions from Other Organizations: None Proposed	22
G-6	Calendar	22
G-7	Letters of Appreciation:	23
	(a) Article from “ <i>Fitness Management</i> ” Magazine Troy Community Center for the Best Innovation in Facility Design, Construction & Decoration	23
	(b) Thank You Note from Margaret Snyder – Program Chairman of the Foxcroft Women’s Club Thanking Officer N. Kaptur’s Presentation on Security.....	23
	(c) E-Mail from Nora B. Fleming Expressing Her Appreciation of All the Troy Public Library Services	23
G-8	Memorandum – Re: Campaign Finance Statements on Web Page	23
G-9	Memorandum – Re: SOCRRA Representative Requirements	23
	<u>PUBLIC COMMENT</u>	<u>23</u>
	<u>STUDY ITEMS</u>	<u>23</u>
H-1	Proposed Amendment of the Rules of Procedure for the City Council (a) Current Rules of Procedure – Adopted November 3, 2003; (b) Amendments Proposed by Council Member Broomfield – February 23, 2004; (c) Amendments Proposed by Council Member Beltramini – March 1, 2004; and (d) Amendments Proposed by Mayor Schilling – April 12, 2004	23

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE – Pastor Dennis Wegner – Troy Church of the Nazarene

ROLL CALL

Mayor Louise E. Schilling
Robin Beltramini
Cristina Broomfield
David Eisenbacher
Martin F. Howrylak
David A. Lambert
Jeanne M. Stine

PRESENTATION:

A-1 (a) Citizens Academy Graduation; (b) Service Commendation – Rose Otto; (c) Service Commendation – Judy Herman; (d) League of Women Voters – Troy Area – Celebrating 30 Years

CARRYOVER ITEMS:

B-1 Amendment to Rules of Procedure – (a) Proposed Amendment by Council Member Beltramini from the Regular Meeting of March 1, 2004 and Postponed to the Regular Meeting of April 12, 2004 and (b) City Management Recommends Resolution B to Postpone Amendment to Rules of Procedure to Study Session “H”

(a) **Proposed Resolutions A**

Resolution
Moved by Beltramini
Seconded by Stine

RESOLVED, That Council Rules of Procedure be **AMENDED** as proposed and further revised on March 1, 2004 effective at the next meeting of Council.

Proposed Amendment

Resolution
Moved by Pryor
Seconded by Howrylak

RESOLVED, That the Resolution to “*Amend the City Council Rules of Procedure – Proposed by Council Member Beltramini*” be **AMENDED** by placing non-agenda items to be addressed before Reports and Communications, G items.

(b) Proposed Resolution B to PostponeSuggested Resolution

Resolution #2004-04-

Moved by

Seconded by

BE IT RESOLVED, That the City of Troy City Council **SHALL POSTPONE** Carry Over Agenda Item "*Amendment to City Council Rules of Procedure*" to Study Session "H" of this meeting.

Yes:

No:

PUBLIC HEARINGS:

C-1 Commercial Vehicle Appeal – 6881 WestawaySuggested Resolution

Resolution #2004-04-

Moved by

Seconded by

(a) Proposed Resolution A for Approval

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance: _____

NOW, THEREFORE, BE IT RESOLVED, That the request from Mr. Adrian Eremie of 6881 Westaway, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevrolet stake truck in a residential district is hereby **APPROVED** for _____ (not to exceed two years).

OR

(b) Proposed Resolution B for Denial

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has not found that the petitioner has demonstrated the presence of condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Mr. Adrian Eremie of 6881 Westaway, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevrolet stake truck in a residential district is hereby **DENIED**.

Yes:

No:

C-2 Commercial Vehicle Appeal – 5184 Rochester

Suggested Resolution

Resolution #2004-04-

Moved by

Seconded by

(a) Proposed Resolution A for Approval

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance: _____

NOW, THEREFORE, BE IT RESOLVED, That the request from Mr. Sead Mesanovic of 5184 Rochester Road, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Volvo semi-tractor in a residential district is hereby **APPROVED** for _____ (not to exceed two years).

OR

(b) Proposed Resolution B for Denial

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.

- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has not found that the petitioner has demonstrated the presence of condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Mr. Sead Mesanovic of 5184 Rochester Road, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Volvo semi-tractor in a residential district is hereby **DENIED**.

Yes:

No:

C-3 Parking Variance Request – 440 E. Maple

Suggested Resolution

Resolution #2004-04-

Moved by

Seconded by

(a) Proposed Resolution A for Approval

WHEREAS, Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance.
2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district.
3. The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
4. The variance relates only to property described in the application for variance; and

WHEREAS, Article XLIII (43.00.00) requires that in granting, the City Council shall find that the practical difficulties justifying the variances are:

- A. That absent a variance, no reasonable use can be made of the property; or

- B. That absent a variance, a significant natural feature would be negatively affected or destroyed; or
- C. That absent a variance, public health, safety and welfare would be negatively affected; or
- D. That literal enforcement of the Zoning Ordinance precludes full enjoyment of the permitted use and makes conforming unnecessarily burdensome. In this regard, the City Council shall find that a lesser variance does not give substantial relief, and that the relief requested can be granted within the spirit of the Ordinance, and within the interests of public safety and welfare; and

WHEREAS, The City Council finds the above-stated general conditions to be present and finds the practical difficulty stated above to be operative in the appeal;

NOW, THEREFORE, BE IT RESOLVED, That the request from P.K. Resources for waiver of 6 parking spaces at the development at 440 E. Maple Road be **APPROVED**.

OR

(b) Proposed Resolution B for Denial

WHEREAS, Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance.
2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district.
3. The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
4. The variance relates only to property described in the application for variance.

WHEREAS, Article XLIII (43.00.00) requires that in granting, the City Council shall find that there are practical difficulties justifying the variances.

WHEREAS, City Council has not found that the requirements of Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance have been met.

NOW, THEREFORE, BE IT RESOLVED, That the request from P.K. Resources for waiver of 6 parking spaces at the development at 440 E. Maple Road be **DENIED**.

Yes:

No:

C-4 Parking Variance Request – 345 MinnesotaSuggested Resolution

Resolution #2004-04-

Moved by

Seconded by

(a) Proposed Resolution A for Approval

WHEREAS, Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance.
2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district.
3. The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
4. The variance relates only to property described in the application for variance; and

WHEREAS, Article XLIII (43.00.00) requires that in granting, the City Council shall find that the practical difficulties justifying the variances are:

- A. That absent a variance, no reasonable use can be made of the property; or
- B. That absent a variance, a significant natural feature would be negatively affected or destroyed; or
- C. That absent a variance, public health, safety and welfare would be negatively affected; or
- D. That literal enforcement of the Zoning Ordinance precludes full enjoyment of the permitted use and makes conforming unnecessarily burdensome. In this regard, the City Council shall find that a lesser variance does not give substantial relief, and that the relief requested can be granted within the spirit of the Ordinance, and within the interests of public safety and welfare; and

WHEREAS, The City Council finds the above-stated general conditions to be present and finds the practical difficulty stated above to be operative in the appeal;

NOW, THEREFORE, BE IT RESOLVED, That the request from Jim Yarema for waiver of 39 parking spaces at the development at 345 Minnesota be **APPROVED**.

OR

(b) Proposed Resolution B for Denial

WHEREAS, Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance.
2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district.
3. The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
4. The variance relates only to property described in the application for variance; and

WHEREAS, Article XLIII (43.00.00) requires that in granting, the City Council shall find that there are practical difficulties justifying the variances; and

WHEREAS, City Council has not found that the requirements of Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance have been met;

NOW, THEREFORE, BE IT RESOLVED, That the request from Jim Yarema for waiver of 39 parking spaces at the development at 345 Minnesota be **DENIED**.

Yes:

No:

POSTPONED ITEMS:

D-1 Ladd's Inc. 5-Acre Parcel Appraisal from the Regular Meeting of March 15, 2004**Proposed Resolution A – Option 2**

Resolution

Moved by Pryor

Seconded by Broomfield

RESOLVED, That Troy City Council **DIRECTS** City Management **TO SELL** the 5-acre City owned parcel being the westerly part of property having Sidwell #88-20-11-201-024 to Ladd's, Inc. for the appraised value of \$580,000.00.

Proposed Amendment to Resolution A – Option 2

Resolution

Moved by Broomfield

Seconded by Eisenbacher

RESOLVED, That *Resolution A – Option 2* be **AMENDED** by **INSERTING**, “**CONTINGENT** upon City Management providing documentation to substantiate which funds were used to purchase the property.”

Yes:

No:

PUBLIC COMMENT:

A. Items on the Current Agenda

Any person not a member of the Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. Consistent with Order of Business #11, the City Council will move forward the specific Business Items which audience members would like to address. The Mayor shall announce the items which are to be moved forward and will ask the audience if there are any additional items which they would like to address. All Business Items that members of the audience would like to address will be brought forth and acted upon at this time. Items will be taken individually and members of the audience will address council prior to council discussion of the individual item.

B. Items Not on the Current Agenda

After Council is finished acting on all Business Items that have been brought forward, the public is welcome to address the Mayor and Council on items that are specifically not on the agenda. (Rules of Procedure for the City Council, Article 15 as amended September 22, 2003)

CONSENT AGENDA

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent business portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 13, as amended September 22, 2003)

E-1 Approval of Consent Agenda

Suggested Resolution

Resolution #2004-04-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item(s) _____, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

E-2 Minutes: Regular Meetings of April 12, 2004-7:30 PM and April 12, 2004-8:00 PM

Suggested Resolution

Resolution #2004-04-

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of April 12, 2004 and the Minutes of the 8:00 PM Regular Meeting of April 12, 2004 be **APPROVED** as submitted.

E-3 Proposed City of Troy Proclamations:

Suggested Resolution

Resolution #2004-04-

RESOLVED, That the following City of Troy Proclamations be **APPROVED**:

- (a) Proclamation – Recording for the Blind & Dyslexic Week - April 19-April 24, 2004
- (b) Proclamation - Service Commendation – Rose Otto
- (c) Proclamation - Service Commendation – Judy Herman
- (d) Proclamation - Celebrating 30 Years - League of Women Voters – Troy Area

E-4 Request for Acceptance of Permanent Easements for Sanitary Sewer, Water Main, Pedestrian Access, Public Walk and Emergency Vehicle Access – Sidwell #88-20-23-354-027, -028, -029, -030, -031, -041, and -042 – Project No. 03.914.3 – Rochester Commons PUD

Suggested Resolution

Resolution #2004-04-

RESOLVED, That the Permanent Easements for sanitary sewer, water main, pedestrian access, public walk and emergency vehicle access from Gulf Rochester Commons, L.L.C., a Michigan Limited Liability Company, having Sidwell #88-20-23-354-027, -028, -029, -030, -031, -041, and -042 are hereby **ACCEPTED**; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** said permanent easements with Oakland County Register of Deeds; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-5 Standard Purchasing Resolution 1 – Award to Low Bidders - AggregatesSuggested Resolution

Resolution #2004-04-

RESOLVED, That one-year contracts for Aggregates with an option to renew for one additional year are hereby **AWARDED** to the low bidders, Troy Aggregate Carriers, Inc., Lapeer Sand & Gravel and Tri-City Aggregates, Inc. for an estimated cost of \$40,285.00, \$2,725.00 and \$37,180.00 respectfully, at unit prices contained in the bid tabulation opened March 24, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the awards are **CONTINGENT** upon contractors submission of properly executed bid and proposal documents, including insurance certificates and all other specified requirements.

E-6 Private Agreement – Freund Site Condominiums – Project No. 02.924.3Suggested Resolution

Resolution #2004-04-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Ken Freund is hereby **APPROVED** for the installation of sanitary sewer, storm sewer, detention, water main, sidewalks, landscaping, soil erosion and paving on the site and in the adjacent right-of-way, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-7 Standard Purchasing Resolution 3 – Option to Renew – Automobile, Light Truck, Farm and Construction Equipment Replacement PartsSuggested Resolution

Resolution #2004-04-

WHEREAS, On November 5, 2001, three-year contracts with the option to renew for three additional years to provide automobile, light truck, farm and construction equipment replacement parts were awarded to the lowest acceptable bidders, D&D Auto Parts, Kirk's Automotive, Crown Battery, Lubrication Specialists, Coach and Motor, Munn Tractor, Lacal Equipment, Old Dominion Brush, Bell Equipment, Terminal Supply, and All Type Truck & Trailer (Resolution #2001-11-519-E-8).

WHEREAS, All the above named vendors have agreed to exercise the three-year option to renew the contracts under the same price discount structure, terms, and conditions.

NOW, THEREFORE, BE IT RESOLVED, That the options to renew the contracts are hereby **EXERCISED** with D&D Auto Parts, Kirk's Automotive, Crown Battery, Lubrication Specialists, Coach and Motor, Munn Tractor, Lacal Equipment, Old Dominion Brush, Bell Equipment, Terminal Supply, and All Type Truck & Trailer to provide automobile, light truck, farm and

construction equipment replacement parts under the same pricing structure, terms and conditions as the original contracts expiring May 31, 2007.

E-8 Request for Acceptance of Permanent Sanitary Sewer Easement & Permanent Water Main Easement– Sidwell #88-20-35-400-020, – Project No. 03.938.3 – Lord & Taylor, Oakland Mall

Suggested Resolution
Resolution #2004-04-

RESOLVED, That the Permanent Easement for Sanitary Sewer and the Permanent Easement for water main from Oakland Mall, L.L.C., a Michigan Limited Liability Company, having Sidwell #88-20-35-400-020 are hereby **ACCEPTED**; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** said permanent easements with Oakland County Register of Deeds; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-9 Act 51 Mileage Certification for 2003

Suggested Resolution
Resolution #2004-04-

WHEREAS, It is necessary to furnish certain road information to the State of Michigan for the purpose of obtaining funds under Act 51, P.A. 1951, as amended.

RESOLVED, The City of Troy hereby **ACCEPTS** the following platted streets: Meadowlark and Ravenwood Court; and

RESOLVED, That the City of Troy hereby **ACCEPTS** the non-platted streets: Amherst Court, Colleen, Edgewater, Hanover, Michael and Riverbend Court whose legal descriptions are attached and made a part hereto; and

BE IT FURTHER RESOLVED, That said streets are located within the City of Troy, the right-of-way is under the control of the City of Troy; the said streets are public streets and are for public street purposes; and the said streets are **ACCEPTED** into the City of Troy local street system.

E-10 Standard Purchasing Resolution 1: Award to Low Bidder – 60,000 GVW Tandem Catch Basin Cleaner – Less Trade-In

Suggested Resolution
Resolution #2004-04-

RESOLVED, That a contract to purchase one 60,000 GVW Tandem Axle Catch Basin Cleaner less trade-In is hereby **AWARDED** to the low total bidder, Jack Doheny Supplies, Inc., of Northville, Michigan for an estimated net total cost of \$168,500.00 at prices contained in the bid

tabulation opened March 17, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

**E-11 Announcement of Public Hearing – Community Development Block Grant (CDBG)
Re-Programming of Year 2002 Funds**

Suggested Resolution
Resolution #2004-04-

RESOLVED, That a Public Hearing be **SCHEDULED** before the Troy City Council on May 3, 2004 at 7:30 PM or as soon thereafter as the agenda will permit for the purpose of hearing public comments on the re-programming of year 2002 funds.

REGULAR BUSINESS

Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair (during the public comment portion of the agenda item's discussion). Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt members of the public during their comments. For those addressing City Council, petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of Council and all other interested people, their time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended September 22, 2003. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair.

F-1 Appointments to Boards and Committees: (a) Mayoral Appointments: 1. Civil Service Commission (Act 78); 2. Brownfield Redevelopment Authority; 3. Downtown Development Authority; 4. Economic Development Corporation and (b) City Council Appointments: 1. Advisory Committee for Persons with Disabilities; 2. Advisory Committee for Senior Citizens; 3. Board of Zoning Appeals; 4. Employee Retirement System Board of Trustees; 5. Troy Daze

The appointment of new members to all of the listed board and committee vacancies will require only one motion and vote by City Council. Council members submit recommendations for appointment. When the number of submitted names exceed the number of positions to be filled, a separate motion and roll call vote will be required (current process of appointing). Any board or commission with remaining vacancies will automatically be carried over to the next Regular City Council Meeting Agenda.

The following boards and committees have expiring terms and/or vacancies. Bold red lines indicate the number of appointments required:

(a) Mayoral AppointmentsSuggested Resolution

Resolution #2004-04-

Moved by

Seconded by

RESOLVED, That the following persons are hereby **APPOINTED BY THE MAYOR** with **COUNCIL APPROVAL** to serve on the Boards and Committees as indicated:

Civil Service Commission (Act 78)**Mayor, Council Approval (3) – 6 years****(1-Mayor, 1-Police and Fire Depts., 1-Civil Service)****Term expires 04-30-2010****CURRENT MEMBERS**

NAME	TERM EXPIRES
Cannon, David C (Council)	04/30/06
McGinnis, Donald E (Police/Fire)	04/30/04
Daugherty, Patrick (Civil Service)	04/30/08

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Easterbrook, David J	09/25/01- 09/2003	10/01/01
Powers, Brian M	10/15/02- 10/2004	10/21/02
Rogowski, Robert F	11/14/01- 11/2003	12/17/01
Pritzlloff, Mark	04/17/03- 04/2005	04/28/03
Sobota, Christopher A	02/14/02- 02/2004	02/18/02
Ziegenfelder, Peter	06/11/03- 05/2005	06/16/03

Brownfield Redevelopment Authority**Mayor, Council Approval (7) – 3 years****Mr. Wilberding seeks reappointment****Term expires 04-30-2007****Mr. Lenivov seeks reappointment****Term expires 04-30-2007****CURRENT MEMBERS**

NAME	TERM EXPIRES
Cotsonika, Arthur	04/30/06
Wilberding, Bruce J	04/30/04
Lenivov, Victor	04/30/04
Goss, Laurence R	04/30/05
Swartz, Robert D	04/30/05
Lee, Katherine M	04/30/05
Ullmann, Lon M	04/30/06

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Baptista, Michael	05/21/03-05/2005	06/02/03
DeBacker, Deborah	05/20/02-05/2004	06/03/02
Dziurman, Theodore	06/10/03-05/2005	06/16/03
Hyun, Yul Woong (Jeff)	09/26/03-09/2005	10/06/03
Joseph, Luke	03/10/03-03/2005	03/17/03
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Shier, Frank	02/18/03-02/2005	03/03/03
Silver, Neil S	08/11/00-06/20/01- 06/09/03-05/2005	08/21/00-07/09/01- 06/16/03
Smits, Beatrice G	12/2/03-12/2005	12/15/03

Downtown Development Authority**Mayor, Council Approval (13) – 4 years****Louise E. Schilling****Mayoral Unexpired Term expires 09-30-04****Per the DDA By-laws and Rules of Procedure, Article III: Membership****CURRENT MEMBERS**

NAME	TERM EXPIRES
Culpepper, Michael W	09/30/04
Frankel, Stuart	09/30/07
Hodges, Michele	09/30/05
Kennis, William	09/30/06
Kiriluk, Alan M	09/30/04
York, G Thomas	09/30/04
MacLeish, Daniel	09/30/05
Price, Carol A	09/30/07
Reschke, Ernest C	09/30/06
Rosenow, Marc W	09/30/07
Schroeder, Douglas J	09/30/06
Weiss, Harvey	09/30/05
Pryor, Matt	09/30/04

Economic Development Corporation**Mayor, Council Approval (9) – 6 years****Charles Salgat wishes to be reappointed****Term expires 04-30-2010****Term expires 04-30-2009****Term expires 04-30-2009****Term expires 04-30-2009**

CURRENT MEMBERS

NAME	TERM EXPIRES
Bluhm, Kenneth	04/30/06
Gigliotti, Robert S	04/30/08
Licari, Leger (Nino)	04/30/04
Parker, Michael	04/30/07
Redpath, Stuart F	04/30/03
Rocchio, James A.	04/30/03
Salgat, Charles	04/30/04
Sharp, John	04/30/03
Smith, Douglas	04/30/05

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Almassian, Carolyn	04/22/02-04/2004	05/06/02
Baughman, Deborah L	06/18/01-05/2003	07/09/01
Chang, Jouky	10/02/01-10/2003	10/15/01
Chhaya, Dhimant	09/26/02	10/07/02
Hall, Patrick C	01/26/01-06/12/01-05/2003	02/05/01-07/09/01
Hoef, Paul V	09/12/01-08/14/02-08/2004	09/17/01
Freliga, Victor P	11/25/02-11/2004	12/02/02
Pritzloff, Mark	04/17/03-04/2003	04/28/03
Shah, Jayshree	08/28/01	09/17/01
Silver, Neil S	08/11/00-06/20/01-05/2003	08/21/00-07/09/01
Victor, Robert	06/03/03-05/2005	06/16/03

Yes:

No:

(b) City Council AppointmentsSuggested Resolution

Resolution #2004-04-

Moved by

Seconded by

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

Advisory Committee for Persons with Disabilities**Appointed by Council (9 Regular, 3 Alternates) – 3 years****Term expires 07-01-2004 (Student)**

CURRENT MEMBERS

NAME	TERM EXPIRES
Susan Robosan-Burt	11/01/06
Angela Done	11/01/05
Nancy Johnson	11/01/06
Leonard G. Bertin	11/01/05
Pauline Manetta	11/01/06
Dick Kuschinsky	11/01/04
Theodora House	11/01/06
Grace Yau (Student)	11/01/04
Dorothy Ann Pietron	11/01/04
Nada Raheb (Student)	07/01/03
Mark Pritzloff	11/01/06
Cynthia Buchanan	11/01/04
Kul B. Gauri	11/01/05
Adam Fuhrman	11/01/06

INTERESTED STUDENT APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
None on file.		

Advisory Committee for Senior Citizens**Appointed by Council (9) – 3 years**Mr. Forst does not seek reappointment**Term expires 04-30-2007****Term expires 04-30-2007****CURRENT MEMBERS**

NAME	TERM EXPIRES
Banch, Steven M	04/30/07
Crowe, Jane	04/30/04
Dixon, Merrill W	04/30/06
Forst, Ed	04/30/04
Hoag, Marie	04/30/06
Ogg, David S	04/30/05
Rhoads, Josephine	04/30/05
Thompson, JoAnn	04/30/06
Weisgerber, William	04/30/05

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Buchanan, Cynthia	06/07/00	06/19/00
Burt, Susan	09/24/01	10/01/01
Connor, Kathleen Ann	02/25/04-02/2006	03/01/04
Freliga, Mary E	11/25/02-11/2004	12/02/02
Lang, Victoria	06/16/03-06/2005	07/07/03

Pietron, Dorothy A	12/21/98-07/10/01	07/23/01
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Wheeler, Nancy	03/08/04-03/2006	04/12/04

Board of Zoning Appeals

Appointed by Council (7) – 3 years

Kenneth Courtney seeks reappointment**Term expires 04-30-2007****CURRENT MEMBERS**

NAME	TERM EXPIRES
Courtney, Kenneth L	04/30/04
Fejes, Christopher	04/30/06
Gies, Marcia	04/30/07
Hutson, Michael W	04/30/06
Kovacs, Matthew R (Does not seek reappointed/ 6/25/03)	04/30/05
Maxwell, Mark	04/30/05
Strat, Thomas (Plan Rep)	12/31/04
Schultz, Robert M (Plan Rep Alt.)	12/31/04

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Almassian, Carolyn	04/22/02-04/2004	05/06/02
Anderson, David C	12/06/01-06/16/03-05/2005	12/17/01-07/07/03
Baptista, Michael	05/21/03-05/2005	06/02/03
Bordas, Douglas M	08/19/99	
Deel, Ryan J	05/17/01-06/25/01-05/2003	05/21/01-07/09/01
Dziurmanh, Theodore	06/10/03-05/2005	06/16/01
Godlewski, W S	07/01/03-07/2005	07/07/03
Hall, Patrick C	06/16/03-05/2005	07/07/03
Hanna, Atef A	10/28/02-10/2004	11/04/02
Howe, Peter Thomas	03/12/03-03/2005	03/17/03
Joseph, Luke	03/10/03-03/2005	03/17/03
Kohut, Gary L	02/17/03-02/2005	03/03/03
Lakin, David	01/13/04-01/2006	02/02/04
Minnick, Richard D II	04/29/02-07/18/03-07/2005	05/06/02-08/04/03
Noce, Robert Wilson	11/16/00-07/11/03-07/2005	11/20/00-07/21/03
Ogg, David	02/09/99-06/09/03-05/2005	04/23/01-06/16/03
Peard, James R	11/25/02-06/09/03-05/2005	12/02/02-06/16/03
Powers, Brian M	10/15/02-10/2004	10/21/02
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Sawyer, Thomas G	10/04/02-06/09/03-05/2005	11/04/02-06/16/03

Shah, Jayshree	01/12/04-01/2006	
Shier, Frank	02/18/03-02/2005	03/03/03
Smits, Beatrice G	12/02/03-12/2005	
Strat, Thomas	09/16/02-09/2004	09/23/02
Wright, Wayne C	01/07/99-06/18/03-06/2005	
Yousif, Gary	11/24/03-11/2005	01/05/04

Retirement System Board of Trustees

3 by Council, 3 by Members, Assistant City Manager/Finance, City Manager – Ordinance – 3 years

Change in number of members to include a non-voting retiree member that is appointed by Council per Resolution by Council – 3/01/04.

Retiree

Term expires 12-31-2004

CURRENT MEMBERS

NAME	TERM EXPIRES
Steven Pallotta (Employee)	12/31/06
Robert Crawford (Employee)	12/31/05
Thomas Houghton (Employee)	12/31/04
Mark A Calice (Council)	12/31/06
David A Lambert (Council)	04/15/06
New - Retiree	12/31/04
John M Lamerato	Ordinance
John Szerlag	Ordinance

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Kenneth Courtney – Retiree	03/12/04-03/2006	03/15/04
Mark Halsey - Retiree	03/10/04-03/2006	03/15/04
James Hamzey-Retiree	03/12/04-03/2006	03/15/04
William Need-Retiree	03/23/04-03/2006	04/12/04

Troy Daze

Appointed by Council (9) – 3 years

Term expires 11-30-2004

Term expires 07-01-2003 Student

CURRENT MEMBERS

NAME	TERM EXPIRES
Robert A. Berk	11/30/04
Sue Bishop (Deceased)	11/30/04
Jim D. Cyrulewski.	11/30/04
Cecile Dilley	11/30/04

Kessie Kaltsounis	11/30/05
Michael Gonda	11/30/06
William F Hall	11/30/05
Jeffrey Stewart (Rep to Parks/Rec Board)	09/30/06
Robert S. Preston	11/30/05
Cheryl A Whitton-Kaszubski	11/30/06
Jessica Zablocki (Student)	07/01/03

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Asjad, Zarina J	05/01/03-05/2005	05/05/03
Freliga, Mary E	11/25/02-11/2004	12/02/02
Hashmi, Amin	08/22/02-08/2004	
Huber, Laurie G	09/22/00-06/18/01-05/2003	09/22/00-7/09/01
Musick, Marilyn K	12/01/03-12/2005	12/15/01
Pietron, Dorothy Ann	07/10/01-07/2003	07/23/01
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Shier, Frank	02/18/03-02/2005	03/03/03
Wells, Alexandra	08/22/02-08/2004	09/09/02

INTERESTED STUDENT APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
None on file		

Yes:

No:

F-2 Closed Session – No Closed Session requested.

F-3 Final Site Condominium Review – Sussex (fka Freund) Site Condominium, East Side of Adams Road, South of Square Lake Road, Section 7 - R-1A
Suggested Resolution

Resolution #2004-04-

Moved by

Seconded by

RESOLVED, That the Final Site Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium, known as Sussex Site Condominium, formerly known as Freund Site Condominium, being 4.034 acres, including six (6) units, located north of Devonwood Road and on the east side of Adams Road, Section 7 and within the R-1A Zoning District, is hereby **APPROVED**, as recommended by City Management.

Yes:

No:

F-4 Water Main Replacement Work as Part of RCOC Maple Road Project – Project No. 03.501.5Suggested Resolution

Resolution #2004-04-

Moved by

Seconded by

RESOLVED, That the quote received from Cadillac Asphalt L.L.C. via the Road Commission for Oakland County for water main replacement work on John R, between Maple and Birchwood to be completed as part of the Maple Road reconstruction project, be **APPROVED** at an estimated total cost of \$131,443.84 with a formal Cost Participation Agreement between the City of Troy and the RCOC to be presented at a future City Council meeting to establish the responsibilities of each agency; and

BE IT FURTHER RESOLVED, That if additional work is required, such additional work is authorized in an amount not to exceed 10% of the total project cost.

Yes:

No:

F-5 Troy Fire Incentive Plan for Volunteer FirefightersSuggested Resolution

Resolution #2004-04-

Moved by

Seconded by

RESOLVED, That the City of Troy Incentive Plan for Volunteer Firefighters as amended, be **ADOPTED** to increase the amount of incentive payments to:

\$518.00 per year of service for those members retiring on or after January 1, 2005;
\$539.00 per year of service for those members retiring on or after January 1, 2006;
\$560.00 per year of service for those members retiring on or after January 1, 2007; and
a \$10.00 per month increase for current retirees for the next three years beginning in January 2005.

Yes:

No:

F-6 Preliminary Site Condominium Review – Hidden Forest Site Condominium – South Side of Wattles – East of Livernois – Section 22-R-1CSuggested Resolution

Resolution #2004-04-

Moved by

Seconded by

(a) **Proposed Resolution A – Recommended by City Management and the Planning Commission – Sheet CE2:**

RESOLVED, That the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Hidden Forest Site Condominium, Sheet CE2, and as recommended for approval by City Management and the Planning Commission, located on the south side of Wattles, east of Livernois, including 34 home sites, within the R-1C Zoning District, being 16.97 acres in size, is hereby **APPROVED**.

OR

(b) **Proposed Resolution B – Petitioner's Preferred Design Sheet CE2A:**

RESOLVED, That the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Hidden Forest Site Condominium, Sheet CE2A, as preferred by the petitioner and located on the south side of Wattles, east of Livernois, including 34 home sites, within the R-1C Zoning District, being 16.97 acres in size, is hereby **APPROVED**.

Yes:

No:

COUNCIL COMMENTS/COUNCIL REFERRALS – No Items advanced.

REPORTS AND COMMUNICATIONS

G-1 Minutes – Boards and Committees:

- (a) Ethnic Issues Advisory Board/Final – March 2, 2004
- (b) Advisory Committee for Persons with Disabilities/Draft – March 4, 2004
- (c) Advisory Committee for Persons with Disabilities/Final – March 4, 2004
- (d) Board of Review -Annual Report-2004 Assessment Roll & Minutes/Final-March 23, 2004
(*Note: Board of Review Minutes are attached as a separate document and/or can be viewed at the Library or City Clerk's Office*)
- (e) Planning Commission Special-Study/Final – March 23, 2004

G-2 Department Reports:

- (a) Permits Issued During the Month of March 2004
- (b) Quarterly Financial Report - March 31, 2004

G-3 Announcement of Public Hearings: No Public Hearing Announcements submitted.

G-4 Green Memorandums: No Green Memorandums submitted.

G-5 Proposed Proclamations/Resolutions from Other Organizations: None Proposed

G-6 Calendar

G-7 Letters of Appreciation:

- (a) Article from "*Fitness Management*" Magazine Troy Community Center for the Best Innovation in Facility Design, Construction & Decoration
- (b) Thank You Note from Margaret Snyder – Program Chairman of the Foxcroft Women's Club Thanking Officer N. Kaptur's Presentation on Security
- (c) E-Mail from Nora B. Fleming Expressing Her Appreciation of All the Troy Public Library Services

G-8 Memorandum – Re: Campaign Finance Statements on Web Page

G-9 Memorandum – Re: SOCRRA Representative Requirements**PUBLIC COMMENT**

Public Comment is limited to people who have not addressed Council during the 1st Public Comment section (Rules of Procedure for the City Council, Article 5 (15), as amended May 6, 2002).

STUDY ITEMS

-
- H-1 Proposed Amendment of the Rules of Procedure for the City Council (a)** Current Rules of Procedure – Adopted November 3, 2003; **(b)** Amendments Proposed by Council Member Broomfield – February 23, 2004; **(c)** Amendments Proposed by Council Member Beltramini – March 1, 2004; and **(d)** Amendments Proposed by Mayor Schilling – April 12, 2004

It is City Management's recommendation to recess the Regular meeting at this time and to immediately reconvene it in the Council Board Room to provide for a study environment.

Respectfully submitted,

John Szerlag, City Manager

Service Commendation
ROSE OTTO

WHEREAS, Rose Otto began her employment with the City of Troy as Clerk-Typist in the Police Department on April 3, 1978, became an Account Clerk in 1992 and a Secretary in 2002; and

WHEREAS, All City employees are sad to see Rose retire after 26 years, she is everybody's friend and will be sorely missed; and

WHEREAS, Rose was awarded the honor of Troy Police Non-Sworn Employee of the Year in 1997 sighting her warm personality and diligence on the job and her willingness to go the extra mile everyday with a smile or kind word for everyone she encounters; and

WHEREAS, Rose will now have more time to spend with her children – daughter Denise, son-in-law Mike and grandchildren Mitchell and Monica; and son Craig, daughter-in-law Denise and grandson Brett. She will also continue caring for her parents Lloyd and Bella; and

WHEREAS, With time to now relax in her retirement years Rose plans on traveling and making more trips to Walt Disney World to enjoy the sun, rides, shows and especially the shopping; and

WHEREAS, During the course of her employment, Rose has contributed many tireless hours of dedicated service as well as her contagious smile to the City of Troy and its citizens.

NOW, THEREFORE, BE IT KNOWN, That the City Council of the City of Troy takes this opportunity to express its appreciation to Rose Otto for her many contributions to the betterment of the City; and

BE IT FURTHER KNOWN That the City Council of the City of Troy, on behalf of themselves, City management, and the citizens of the City of Troy, extends wishes of prosperity, good health and happiness to Rose during her retirement years.

Presented the 19th day of April 2004.

Service Commendation
JUDY HERMAN

WHEREAS, **Judy Herman** began her employment with the City of Troy as Clerk-Typist in the Parks & Recreation Department on October 15, 1984, moved to the Building Department in 1987 and then to the Assessing Department in 1993 where she remained until retirement; and

WHEREAS, All City employees are sad to see **Judy** retire after nearly 20 years, she has served the citizens of Troy with a warm smile; and

WHEREAS, **Judy** will now have more time to spend with her children – son Bill, daughter-in-law Mari and grandchildren Joey, Ike and Billy; daughter Kristin and son-in-law John; daughter Pam and granddaughter April; and daughter Beth and son-in-law Brad; and

WHEREAS, With time to now relax in her retirement years **Judy** plans to travel, spend more time with the grandchildren (current and future ones), attend theatre at the Fisher, and work in the garden; and

WHEREAS, During the course of her employment, **Judy** has contributed many tireless hours of dedicated service to the City of Troy and its citizens.

NOW, THEREFORE, BE IT KNOWN, That the City Council of the City of Troy takes this opportunity to express its appreciation to **Judy Herman** for her many contributions to the betterment of the City; and

BE IT FURTHER KNOWN That the City Council of the City of Troy, on behalf of themselves, City management, and the citizens of the City of Troy, extends wishes of prosperity, good health and happiness to **Judy** during her retirement years.

Presented the 19th day of April 2004.

**PROCLAMATION
CELEBRATING 30 YEARS
LEAGUE OF WOMEN VOTERS – TROY AREA**

WHEREAS, For 30 years the **League of Women Voters – Troy Area**, a nonpartisan political organization, has championed the active participation of citizens in government by communicating understanding of major public policy issues and influencing public policy through education and advocacy; and

WHEREAS, Every year the **League of Women Voters** informs residents with the *They Represent You* brochure, which lists all local, county, state and national officials representing Troy; and

WHEREAS, The **League of Women Voters** hosts a televised Candidate's Night for Troy City and School elections; and

WHEREAS, The organization works hard to keep the public informed by hosting free monthly meetings to discuss issues, including health, traffic, storm drains, linear parks, recycling, healthy lawn and garden, literacy and land use; and

WHEREAS, League members serve as hosts for newly sworn in citizens at the annual Troy Daze Festival, and organize library displays showcasing the importance of natural resources and the purposes of the United Nation; and

WHEREAS, The League coordinates the publication and distribution of the informative books *Know Your City* and *Know Your Schools* for the citizens of Troy; and

NOW, THEREFORE, BE IT RESOLVED That the Troy City Council does hereby congratulate the **League of Women Voters – Troy Area on its 30th Anniversary** and its tremendous influence on educating the public about various political processes and issues.

BE IT FURTHER RESOLVED, That the City Council join the citizens of this community in appreciation and celebration of the **League of Women Voters – Troy Area 30th Anniversary**.

Presented this 19th day of April.

DATE: April 13, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building & Zoning

SUBJECT: Agenda Item - Public Hearing
Commercial Vehicle Appeal
6881 Westaway

On December 26, 2003, information was sent to Mr. Adrian Eremie that identified restrictions related to a commercial vehicle located on residential property. As part of that information, he was advised that the flat bed stake truck parked on the property did not comply with the exceptions found in Chapter 39, Section 40.66.00. He was given the option to remove the vehicle or appeal to City Council for relief of the Ordinance.

In response to our letters, Mr. Eremie has filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of April 19, 2004.

The petitioner's property is relatively large, being 167' wide by 310' deep. The existing house on the property has only a 699 square foot ground floor area and there is already a 550 square foot detached garage. Only 50 square feet of accessory building can be added to the site per the requirements of Section 40.57.04. There is sufficient room on the site to construct a significant attached garage on the property.

Should you have any questions or require additional information, kindly advise.

MS/pr

Attachments

RECEIVED

MAR 29 2004

BUILDING DEPARTMENT

COMMERCIAL VEHICLE
APPEAL APPLICATION

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the following residential zoned site:

NAME: ADRIAN EREMIE
ADDRESS: 6881 WESTAWAY DR.
CITY: TROY MI. ZIP: MI 48058 PHONE: (313) 538-6083
ADDRESS OF SITE: 6881 WESTAWAY
NUMBER OF VEHICLES: 1
VEHICLE IDENTIFICATION NUMBER(S)
1GBJC34K6PE125059
LICENSE PLATE NUMBER(S) 4087 MS
DESCRIPTION OF VEHICLE(S) 3500 CHEVY (WHITE)

REASON FOR APPEAL (see A - D below) D, B, C

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING:

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..

Adrian Exumie

Adrian Exumie

(signature of applicant)

STATE OF MICHIGAN

COUNTY OF OAKLAND

On this 29 day of MARCH, 2004 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Pamela G. Pasternak

Macomb

Notary Public,

County, Michigan

Oakland

My Commission Expires:

09-01-07

RECEIVED

MAR 29 2004

BUILDING DEPARTMENT

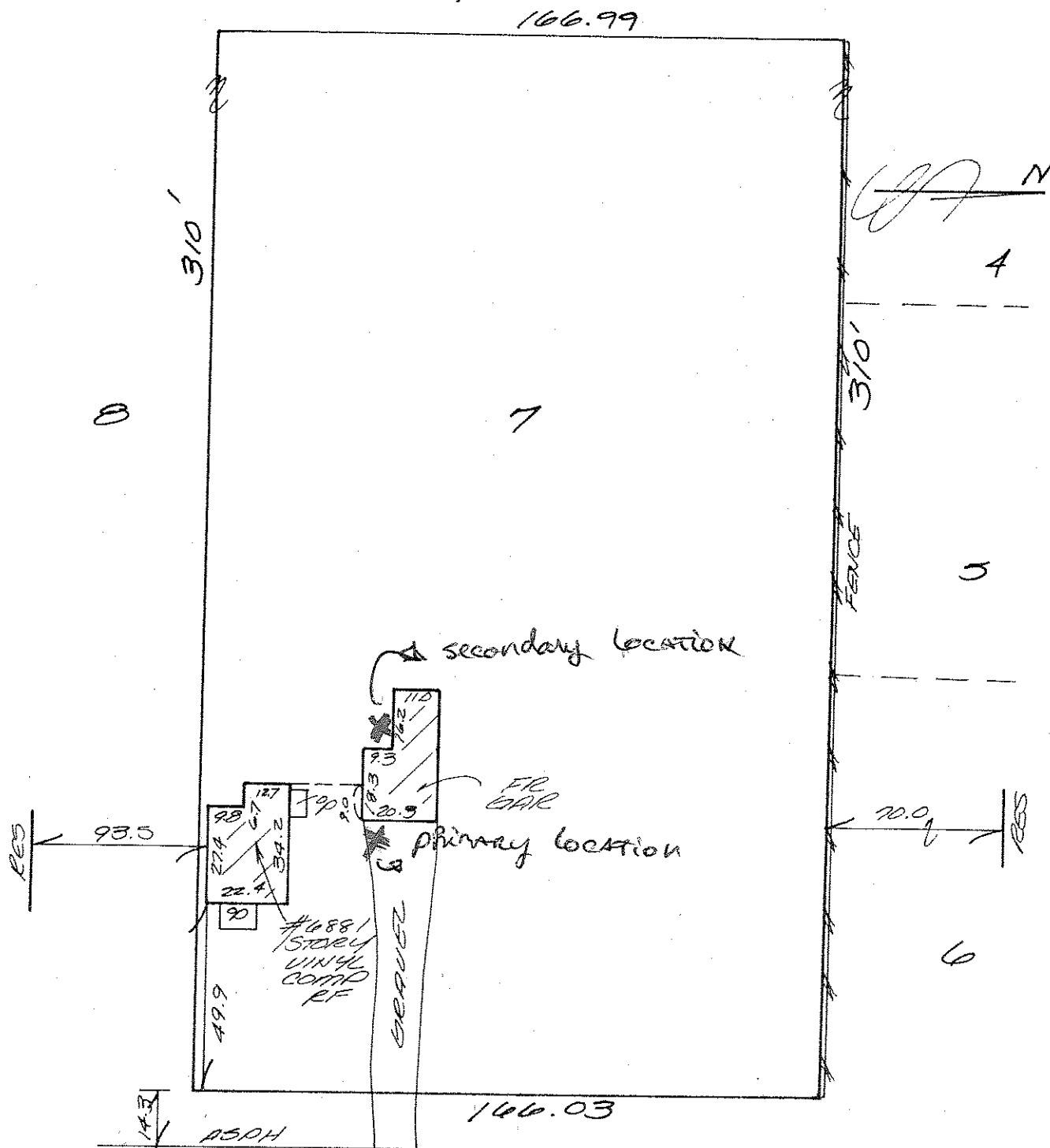


MORTGAGE REPORT for:

ST. JAMES MORTGAGE

CONSULTING MUNICIPAL & CIVIL ENGINEERS • SURVEYORS • 28304 HAYES • ROSEVILLE, MI 48066 • (586)774-3000
LEGAL DESCRIPTION OF PROPERTY (AS FURNISHED BY CLIENT)

Lot 7, "BASSETT & SMITH FLOWING SPRING ACRES", a subdivision of part of the N. 1/2 of Section 3, T.2 N., R.11 E., Troy Township (now City of Troy), Oakland County, Michigan. Recorded in Liber 37 of Plats, Page 9 of Oakland County Records.









6915

This is an aerial photograph of a residential area. The image is divided into several rectangular sections by white lines, representing property boundaries. In the upper right section, the address '6915' is printed in large, bold, white numbers with a black outline. Below this, in the middle right section, the address '6881' is printed in similar large, bold, white numbers with a black outline. A prominent cyan-colored rectangular border highlights the area around the '6881' address. To the right of the main map area, a vertical road is visible, with the word 'WESTWAY' written vertically along its length. The terrain is covered with trees and some buildings are visible, including a dark structure near the '6915' address and a lighter structure near the '6881' address.

6881

WESTWAY

W SOUTH BLVD

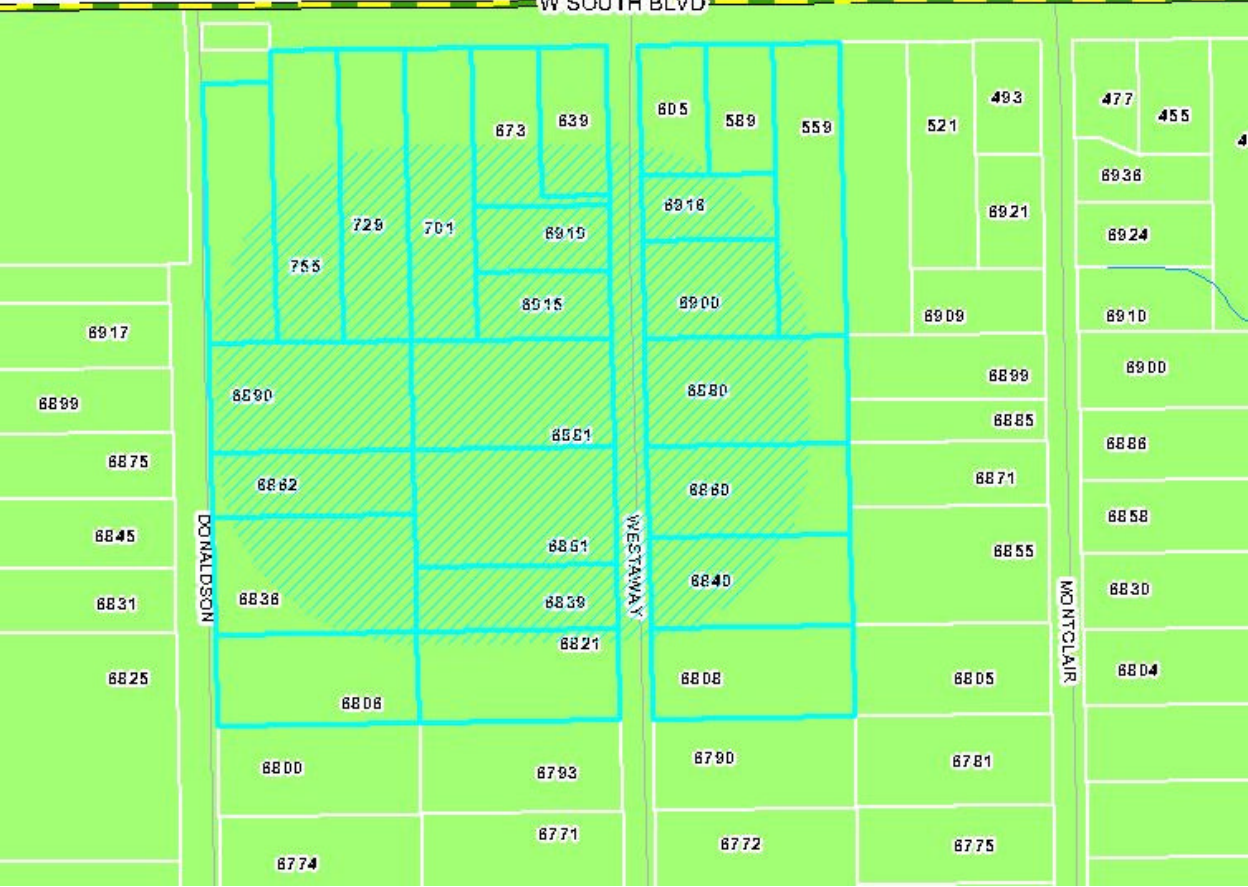


Photo Taken By Building Department Staff



RECEIVED

APR 07 2004

BUILDING DEPARTMENT

TO: CITY COUNCIL

Please register my approval ☒ objection ☐ to the request described on the reverse side.

My reason for this approval ☒ objection ☐ is:

As long as the property is well taken care of, this person should have the right to park a work vehicle in his or her own driveway. we are not a subdivision with an association with rules regarding how things are done with homeowners houses. So I see no problem with this and I do feel it is silly for people to complain about it. There are worse things in some people's yards!

NAME: Kathleen mikkelsen

ADDRESS OR PROPERTY DESCRIPTION 6890 Donaldson

RECEIVED

APR 06 2004

TO: CITY COUNCIL

BUILDING DEPARTMENT

Please register my approval ☐ objection ☒ to the request described on the reverse side.

My reason for this approval ☐ objection ☒ is:

EVERYBODY IN TROY WILL WANT TO
DO THIS ALSO. IT OPENS THE
DOOR TO EVERYONE. IF ITS ONLY
FOR A COUPLE OF WEEKS, IT WOULD
BE OKAY. BUT FOR A LONG DURATION
NO. IF THIS PERSON IS ALLOWED
TO DO THIS. THEN CAN I DO
IT ALSO? LET ME KNOW WHAT
THE OUTCOME IS.

NAME:

Patricia Phillips

ADDRESS OR PROPERTY DESCRIPTION

559 West South Blvd.
Troy, Mich. 48085

RECEIVED

APR 12 2004

BUILDING DEPARTMENT

TO: CITY COUNCIL

Please register my approval ☒ objection ☐ to the request described on the reverse side.

My reason for this approval ☒ objection ☐ is:

I ~~live~~ live away from the property described
and do not see it.

I'm sure the people living near said
property got their property for a lower price
because that house is not an attractive
newer home.

When I went by the property the flat-
bed truck was backed up close to the garage
and as far as I could see, was not an eye
sore. It was on their own property and was
parked in a tasteful manner.

If said neighbors are so really
perturbed about the truck why don't they
move to a better neighborhood? There is room for
all of us — even in Troy!

NAME: Lucille E. Groat

ADDRESS OR PROPERTY DESCRIPTION 673 South Blvd. W.

TO: CITY COUNCIL

Please register my approval ☒ objection ☐ to the request described on the reverse side.

My reason for this approval ☒ objection ☐ is:

The lots in this section of Troy are large and can easily accomodate such a vehicle.

I have seen the vehicle in question and it is a small one.

RECEIVED
APR 13 2004
BUILDING DEPARTMENT

NAME: Stephen O. Heemsoth STEPHEN O. HEEMSOOTH

ADDRESS OR PROPERTY DESCRIPTION 6836 DONALDSON

DATE: April 13, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Agenda Item - Public Hearing
Request for Commercial Vehicle Appeal
5184 Rochester Road

On March 4, 2002 a variance was granted by City Council to Mr. Sead Mesanovic for two years regarding the outside parking of a commercial vehicle on his property at 5184 Rochester Road. That variance has now expired and Mr. Mesanovic has submitted a new application for appeal requesting continued approval to park the Freightliner semi-tractor at his property. The conditions are basically the same as in 2002, however, in his current application he does ask that the vehicle be allowed to be parked on the existing driveway in front of the garage in lieu of parking the vehicle behind the house as previously approved.

A public hearing has been scheduled for your meeting of April 19, 2004.

The property currently has a 25' x 42' accessory building on it with only a 997 square foot house. The Board of Zoning Appeals approved the oversized accessory building in 1987. No additional accessory buildings can be constructed without further BZA action. There is considerable room available to construct an attached garage on the front or rear of the existing house if the petitioner wishes to do so.

Copies of the application, plans, photo and original minutes are attached for your reference.

Should you have any questions or require additional information, kindly advise.

3/12/04

**COMMERCIAL VEHICLE
APPEAL APPLICATION**

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the following residential zoned site:

RECEIVED

MAR 15 2004

NAME: SEAD MESANOVIC BUILDING DEPARTMENT

ADDRESS: 5184 ROCHESTER RD

CITY: TROY MI. ZIP: 48065 PHONE: 828-9778

ADDRESS OF SITE: _____

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S)
4VGVDAJH0WN748744

LICENSE PLATE NUMBER(S) _____

DESCRIPTION OF VEHICLE(S) semi-tractor MAKE VOL.

REASON FOR APPEAL (see A - D below) We are now looking for a new company and we will only park for a short amount of time, until a company is found. Thank you for your understanding.

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING:

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..

Slavica Merdjanovic
Slavica Merdjanovic
(signature of applicant)

STATE OF MICHIGAN
COUNTY OF OAKLAND

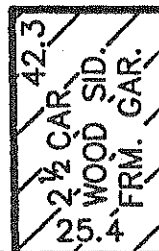
On this 15 day of MARCH, 2009 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Pamela J. Pasternak Macomb
Notary Public, County, Michigan acting in Oakland
My Commission Expires: 09-01-07

SUB.LINE

68.0

PROPERTY
AS DESC.

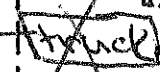


Proposed location

O'HEAD.
LINES

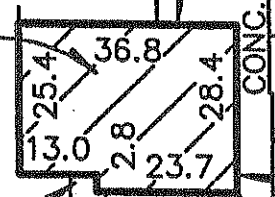
GRAVEL

Truck PK'd



10.5±

#5184
1 STORY
BRICK
FRM. RES.
W/BSM'T



CONC.

ASPH.

PORCH
2' CONC.

307.0

#5174

RAVEL DRIVE

99.3±

Existing

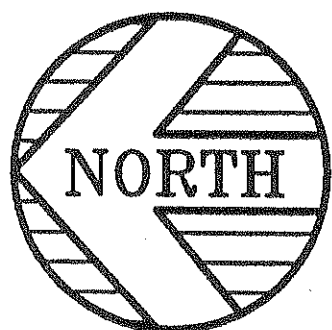
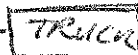


Photo Provided by the Petitioner



Seconded by Pallotta

WHEREAS, The City Council of the City of Troy had formerly established an Industrial Development District (IDD), and granted an Industrial Facilities Exemption Certificate (IFEC), #97-417, to Osmic, Inc., at 1788 Northwood, Parcel #88-20-28-303-011, more particularly described as, Town 2 North, Range 11 East, Section 28, Northwood Industrial Park Subdivision, the south 128 feet of Lot 14; and

WHEREAS, In accordance with Public Act 198 of 1974, MCL 207.572, the City Council of the City of Troy, and the Petitioner, Osmic, Inc., entered into a Letter of Agreement governing the terms of the Industrial Facilities Exemption Certificate; and

WHEREAS, Osmic, Inc., has vacated the Industrial Development District (IDD), and abandoned the project in the City of Troy, for which the Industrial Facilities Exemption Certificate (IFEC) was granted, #97-417, and

WHEREAS, Osmic, Inc., has received approval for an Industrial Facilities Exemption Certificate (IFEC) from the City Council of Auburn Hills, and

WHEREAS, In accordance with Michigan Compiled Laws 207.571(2), and terms of the Letter of Agreement between the City of Troy, and Osmic, Inc., the City Council of the City of Troy may require payment of any portion of abated, and unabated taxes for the entire 12 year length of the Industrial Facilities Exemption Certificate (IFEC),

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby declares that the terms of the Letter of Agreement between the City of Troy and Osmic, Inc., will have been fulfilled upon payment by Osmic, Inc., by Certified Check, to the Treasurer of the City of Troy, the sum of \$24,915.61, representing 4 years of abated taxes that Osmic, Inc., received per terms of the Industrial Facilities exemption Certificate, and

BE IT ALSO RESOLVED, That the City Clerk shall validate this resolution by certifying the date of payment of said sum, and forward a copy of this resolution to the State Tax Commission, of the State of Michigan, by certified mail.

Yes: Lambert, Pallotta, Schilling, Pryor, Beltramini, Kaszubski
No: Howrylak

MOTION CARRIED

C-2 Request for Commercial Vehicle Appeal – 5184 Rochester Road

Resolution #2002-03-141
Moved by Pallotta
Seconded by Kaszubski

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential

districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Sead Mesanovic, 5184 Rochester Road, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Freightliner semi tractor in a residential district is hereby APPROVED for two years conditioned upon the requirement that the driveway will be completed by July 15, 2002 and Freightliner semi tractor will be parked as indicated in the submitted drawing.

Yes: All-7

VISITOR COMMENTS

CONSENT AGENDA

E-1 Approval of Consent Agenda

Resolution #2002-03-142
Moved by Pallotta
Seconded by Kaszubski

RESOLVED, That all items as presented on the Consent Agenda are hereby approved as presented.

Yes: All-7

ROCHESTER

5184

5174

112

111

5352

935

949

5321

5240

5232

TRINWAY

5215

ROCHESTER

5184

5174

1135

1147

1159 1

171 1-

83 11

9:

5175

1123

ASHLEY

1114

1101

1091

1140

1166

1180

190

1098

1086

1153

1161

1169

CRESTON

1083

1124

MAYBERRY

5119

5117

5137

5131

5127

5120
5114
5108
5102
5100
5096

5114

5108

5102

5100

5096

DATE: April 13, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Agenda Item - Public Hearing
Parking Variance Request
440 E. Maple

We have received an application from P.K. Resources to construct mezzanines inside the existing multi-tenant industrial building at 440 E. Maple Road. The industrial building has a ground floor area of 10,065 square feet. In accordance with Section 40.21.81 of the Zoning Ordinance, 23 parking spaces have been provided on the site. As part of the tenant completions the applicants have proposed to construct mezzanines in three of the tenant spaces. The total area of these mezzanines is 3,005 square feet. With this additional floor area the building will be a total of 13, 070 square feet and will require 29 parking spaces. Since only 23 are available, their permit application has been denied. In response, the petitioners have filed an appeal of the parking requirement for 6 additional spaces. A Public Hearing has been scheduled for your meeting of April 19, 2004, in accordance with Section 44.01.00.

We have enclosed copies of the petitioner's application and supporting documentation as well as a copy of the site and floor plan of the facility for your reference. We will be happy to provide additional information regarding this request if you desire.

Attachments:

RECEIVED

MAR 18 2004

PARKING VARIANCE APPLICATION
FOR PUBLIC HEARING BEFORE CITY COUNCIL
CITY OF TROY

BUILDING DEPARTMENT

TO TROY CITY COUNCIL

DATE: 3/14/04

Request is hereby made for a variance to modify the parking provisions of the Zoning Ordinance enacted by the City Council or contrary to a decision rendered by the Building Official in denying an application for a permit.

Applicant: P.K. Resources Phone: 248-585-6200Address: 360 E. Maple Rd Troy, MI 48083Address of Property: 440 E. Maple RdLot # 3-7 Subdivision: Beech HillZoning District: M-1 Sidwell # 88-20-34-127-043Owner of Property: Paul Silver Phone: 248-302-3304Address: 1770 Banbury - Birmingham, MI 48009

This appeal is made on a determination by the Director of Building & Zoning, in the enforcement of the Zoning Ordinance, in a letter dated: March 16, 2004

Has there been a previous appeal involving this property? No If Yes, state date _____
and particulars _____

REASON FOR VARIANCE:

Dimension of Stall? _____

Parking Spaces Required: _____

Number of Stalls? _____

Parking Spaces Provided: X - not enough

Other Dimensions? _____

Variance Requested: _____

Outline your appeal, listing sections of the ordinance from which relief is sought and also outline your proposals, indicating your hardships. (continued on back of page)

We are seeking a parking Variance for
440 E. Maple (6 spaces) due to the fact
that the mezzanines are strictly storage →

and most important is the aspect of safety. People are going to use this space for storage regardless if there is a staircase. That means carrying Boxes up and down a ladder.

PLOT PLAN OF SITE ATTACHED HERETO

STATE OF MICHIGAN)
COUNTY OF Oakland)

I HEREBY DISPOSE AND SAY THAT ALL THE ABOVE STATEMENTS, AND INFORMATION IN THE ATTACHED PAPERS AND SITE PLANS SUBMITTED ARE TRUE AND CORRECT.

Date: 3-16-04

Paul S. Calhoun
(Signature of Applicant)

Signed and Sworn to before me this 18 day of March 20 04

Mary Laraine McHenry
Notary Public

My Commission Expires: May 30, 2007

Filing Fee \$200.00

Date Paid

Lot Size - 122 x 285 = 34770 s.f.
Bld Size - 55 x 183 = 10,065 s.f.
Bld / Lot ratio - 28.94%

Required Parking Spaces 23
Available Parking Spaces 23
Parking Space / Bldg S.F. = 1 / 450 S.F.

10% Green Belt = 3477 S.F.
Proposed Greenbelt = 6911 S.F.

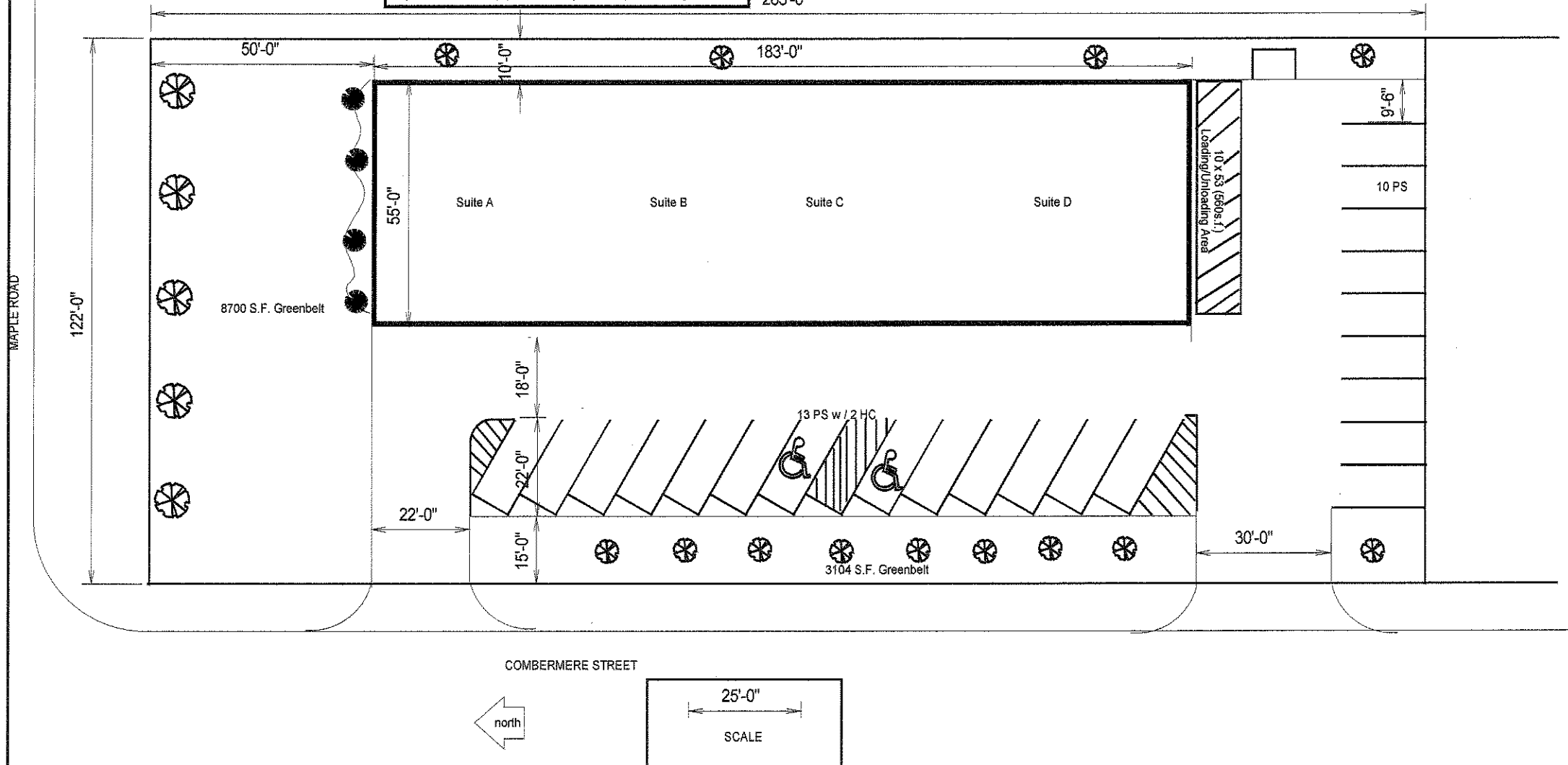
Paving (non-bldg. or landscaping) = 13,656 S.F.
TOTAL HARD SURFACE S.F. = 23721.22 S.F.

COMBERMERE INDUSTRIAL SUITES 440 E. Maple Road, Troy Michigan

RECEIVED

MAR 1 8 2004

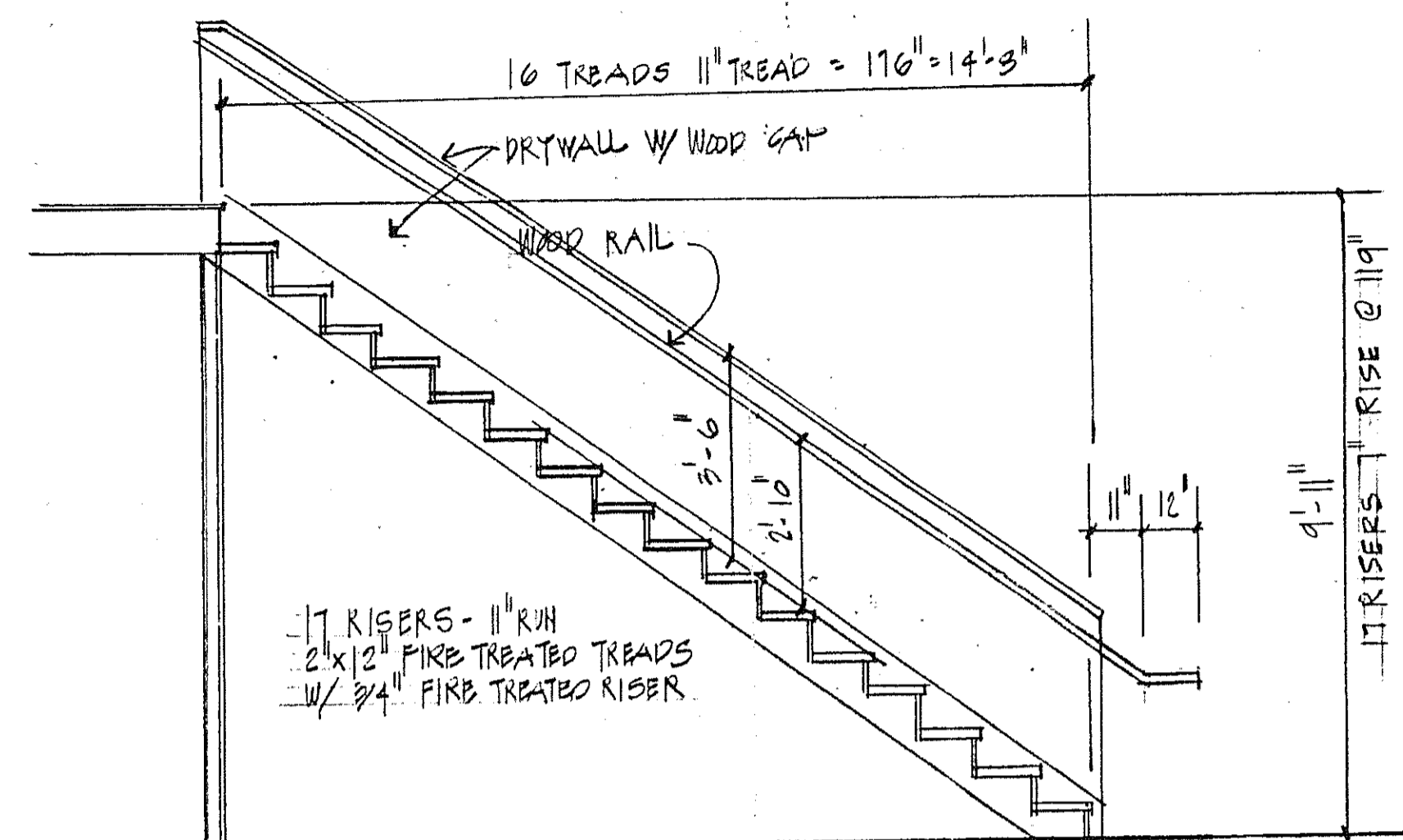
BUILDING DEPARTMENT





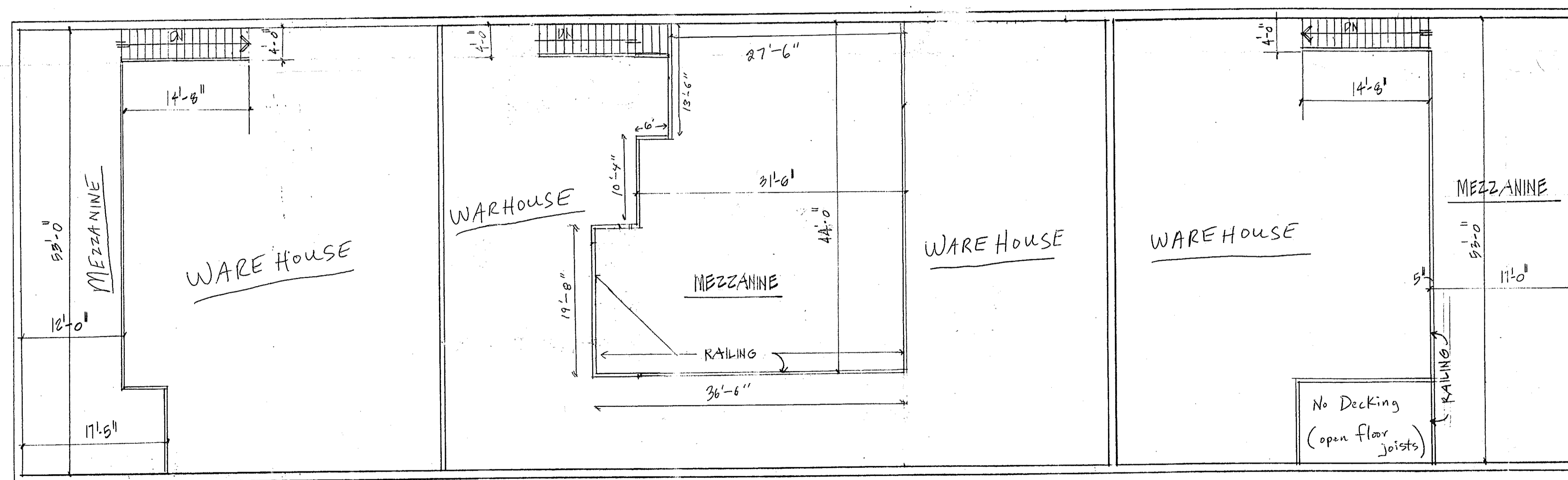
HEINS & KWAPIS
ARCHITECTS P.C.

126 E. THIRD STREET
ROCHESTER, MICHIGAN
48307
PH: 248-651-6766
FAX: 248-651-8969



STAIR SECTION

SCALE: 3/8" = 1'-0"



UNIT A

AREA OF UNIT 2150 #
AREA OF MEZZANINE 690 # 25%

UNIT B (includes unit C)

AREA OF UNIT 4308 #
AREA OF MEZZANINE 1414 # 33%

UNIT D

AREA OF UNIT 8006 #
AREA OF MEZZANINE 901 # 30%

FLOOR PLAN

SCALE: 1/8" = 1'-0"

PROPOSED MULTI-INDUSTRIAL BUILDING
MEZZANINE PLAN
COMMERCE PLAZA

REVISION:
DRAWN BY:
CHECKED BY:
DATE: 2/11/03

[Signature]

REAL

SHEET NO.
11-1-01
OF 1

JOB NUMBER

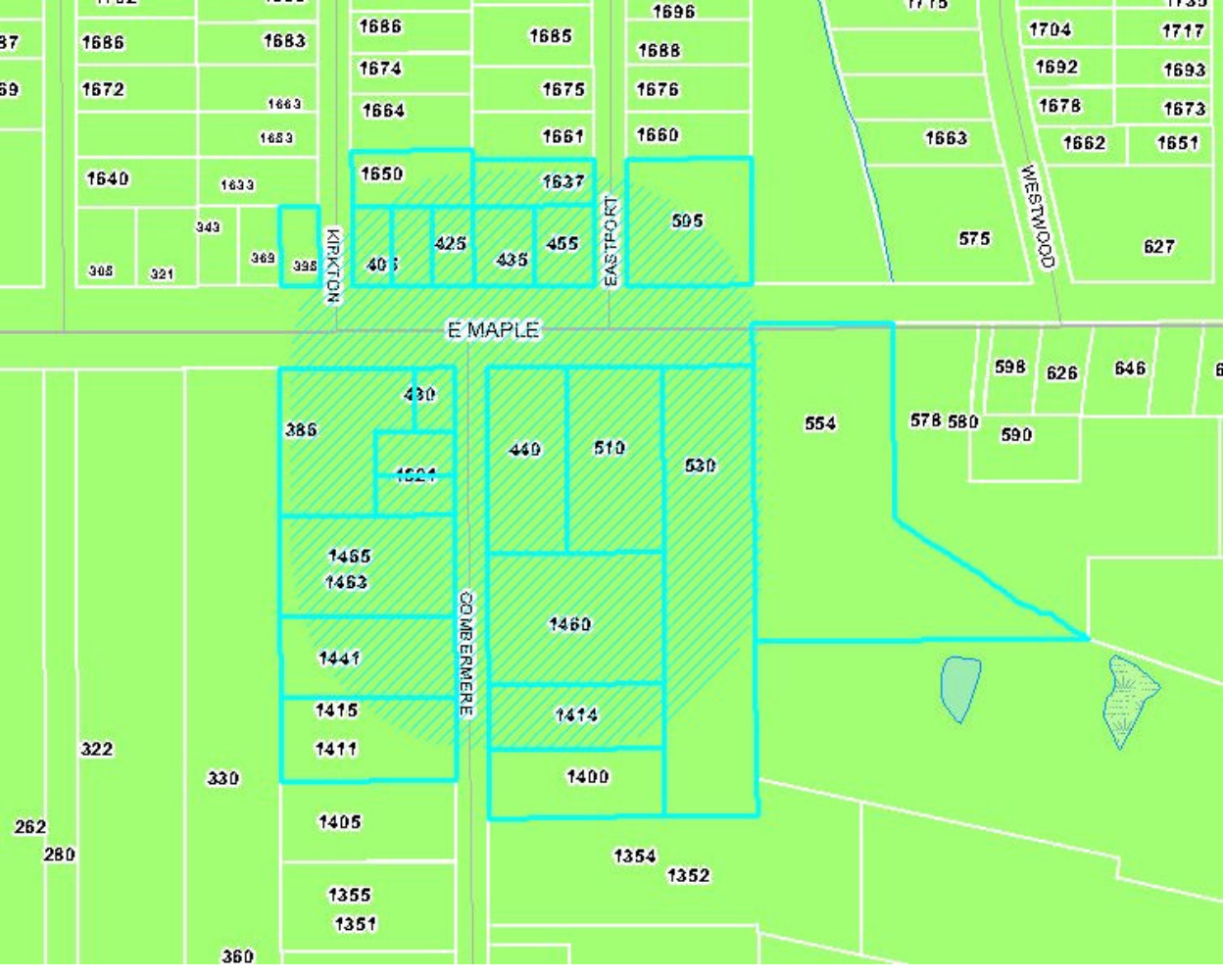
9152

RECEIVED
MAY 11 2004
BUILDING DEPARTMENT

E MAPLE

COLLEEN RD





DATE: April 13, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Agenda Item - Public Hearing
Parking Variance Request
345 Minnesota

We have received an application from Jim Yarema to construct an addition onto the north side of his existing industrial building on the west side of Minnesota at 345 Minnesota. Mr. Yarema owns a number of buildings on both the east and west side of the street in this area. Taking into consideration this addition as well as the other existing buildings, a total of 263 parking spaces are required by Section 40.21.81 of the Troy Zoning Ordinance. A previous variance granted by City Council on May 22, 1995, reduced this amount by 81 cars resulting in a parking requirement of 182 spaces. Even with his plans to demolish a portion of one of the buildings on the west side of the street to provide additional parking, only 149 parking spaces will be available on the combined sites. The permit application for this work has been denied. In response, the petitioner has filed an appeal of the parking requirement. A Public Hearing has been scheduled for your meeting of April 19, 2004, in accordance with Section 44.01.00 for consideration of the variance request for 33 parking spaces.

I should note that in order to obtain approval for this addition the petitioner will also need to obtain a variance from the Board of Zoning Appeals. That variance will be to allow 51% of the site to be covered with buildings where the Zoning Ordinance limits lot coverage to not more than 40%.

We have enclosed copies of the petitioner's application and supporting documentation as well as a copy of the site plan of the facility for your reference. We will be happy to provide additional information regarding this request if you desire.

Attachments:

PARKING VARIANCE APPLICATION
FOR PUBLIC HEARING BEFORE CITY COUNCIL
CITY OF TROY

RECEIVED

MAR 23 2004

BUILDING DEPARTMENT

TO TROY CITY COUNCIL

DATE: _____

Request is hereby made for a variance to modify the parking provisions of the Zoning Ordinance enacted by the City Council or contrary to a decision rendered by the Building Official in denying an application for a permit.

Applicant: JAMES YAREMA Phone: 585 2830

Address: 300 MINNESOTA

Address of Property: 345 MINNESOTA

Lot # 16-17-18-19-20 Subdivision: COOPERS SUBDIVISION

26-31
Zoning District: M-1 Sidwell # 88-20-36-401-047

Owner of Property: LUKOWSKI - YAREMA Phone: _____

Address: 300 MINNESOTA

This appeal is made on a determination by the Director of Building & Zoning, in the enforcement of the Zoning Ordinance, in a letter dated: _____

Has there been a previous appeal involving this property? ~~NO~~ If Yes, state date YES

and particulars MAY 22 1995

REASON FOR VARIANCE:

Dimension of Stall? _____

Parking Spaces Required: 175 182

Number of Stalls? _____

Parking Spaces Provided: 136 149

Other Dimensions? _____

Variance Requested: 39 33

Outline your appeal, listing sections of the ordinance from which relief is sought and also outline your proposals, indicating your hardships. (continued on back of page)

PLOT PLAN OF SITE ATTACHED HERETO

STATE OF MICHIGAN)

COUNTY OF _____)

I HEREBY DISPOSE AND SAY THAT ALL THE ABOVE STATEMENTS, AND INFORMATION IN THE ATTACHED PAPERS AND SITE PLANS SUBMITTED ARE TRUE AND CORRECT.

Date: MARCH 20, 2004

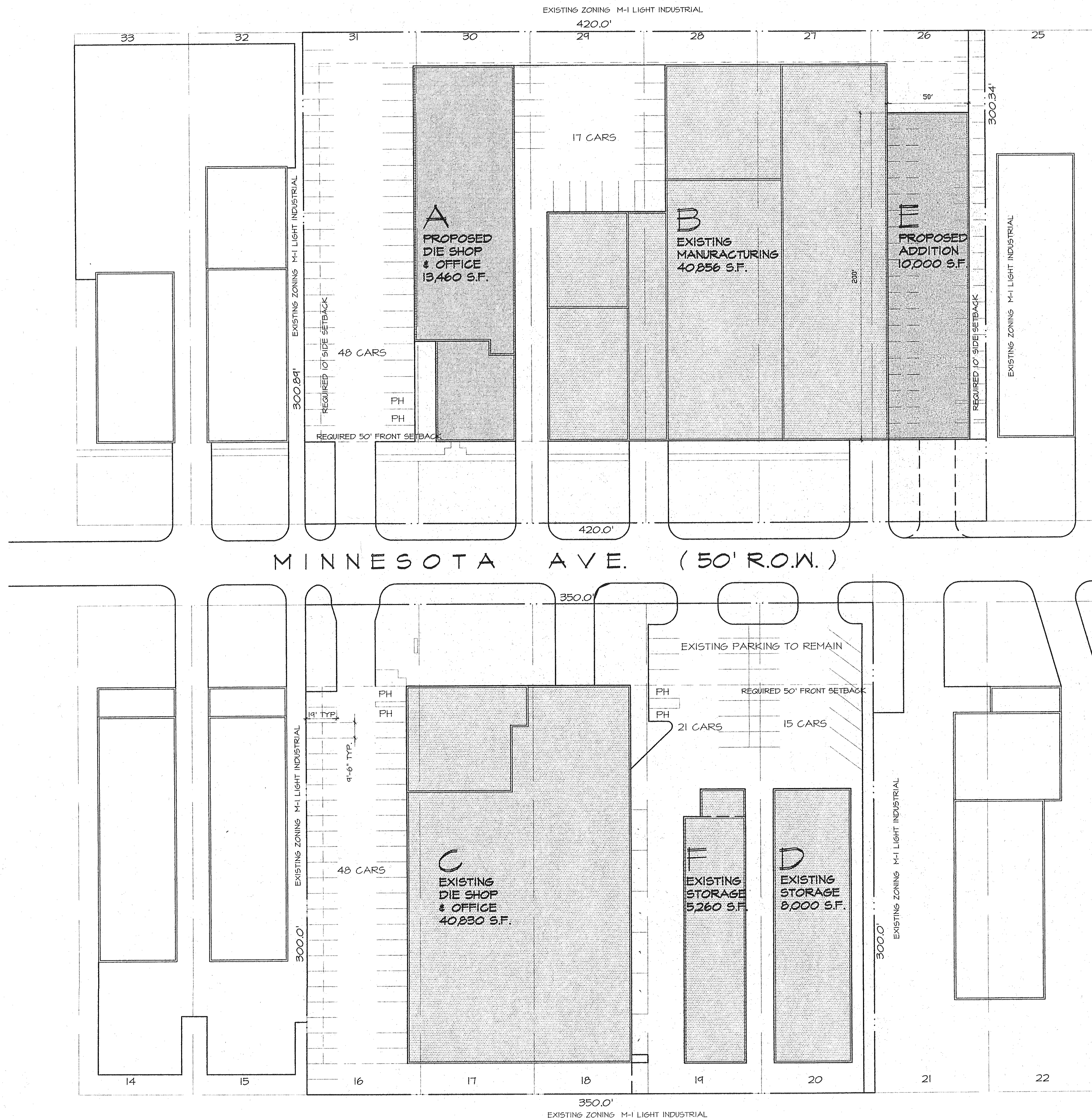
James J. Lawrence
(Signature of Applicant)

Signed and Sworn to before me this 23 day of March 2003

Mary Laraine McHenry
Notary Public

My Commission Expires: May 30, 2007

Filing Fee \$200.00	Date Paid _____
---------------------	-----------------



LEGEND

EXISTING ZONING

M-I LIGHT INDUSTRIAL

BUILDING AREA

A	PROPOSED DIE SHOP	13,460 S.F.
B	EXISTING MANUFACTURING	40,856 S.F.
C	EXISTING DIE SHOP & OFFICE	31,880 S.F.
	(EAST FOOTPRINT)	31,880 S.F.
	(OFFICE ABOVE GRADE 8,450 S.F.)	
D	EXISTING STORAGE BUILDING	8,000 S.F.
E	PROPOSED MANUFACTURING	10,000 S.F.
F	EXISTING STORAGE BUILDING	5,260 S.F.
	TOTAL FOOTPRINT	109,456 S.F.

TOTAL SITE AREA

WEST 300.62' X 420' = 126,260 S.F. = 2.90 ACRES
EAST 300.00' X 350' = 105,000 S.F. = 2.41 ACRES

TOTAL = 231,260 S.F. = 5.31 ACRES

SITE COVERAGE

109,456 S.F. / 231,260 S.F. = .47 (47%)

PARKING REQUIRED BY ORDINANCE

TOTAL OFFICE AREA 10,950 S.F. GROSS
8,200 S.F. USABLE / 200 S.F./CAR = 41 CARS

TOTAL DIE SHOP AND MANUFACTURING
44,200 S.F. GROSS / 550 S.F./CAR = 171 CARS

TOTAL STORAGE AREA 13,260 S.F. GROSS / 1,700 S.F./CAR = 8 CARS

TOTAL PARKING REQUIRED BY ORDINANCE = 220 CARS

PARKING PROPOSED

TOTAL PARKING PROPOSED 149 CARS

TOTAL PARKING EXISTING PRIOR TO ADDITIONS 168 CARS

EXISTING WORK FORCE 109 EMPLOYEES

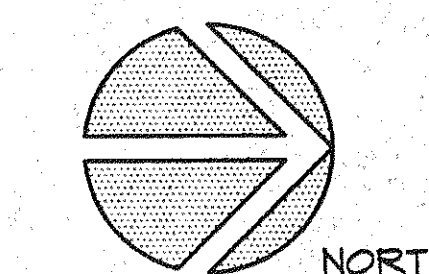
THE PROPOSED MANUFACTURING ADDITION WILL INCREASE MANUFACTURING OUTPUT DUE TO INCREASED FEED LINES AT EXISTING STAMPING MACHINES. THE WORK FORCE WILL BE UNCHANGED DUE TO THE PROPOSED ADDITION.

PROPERTY DESCRIPTION

LOT NO'S 16, 17, 18, 19, 20, 26, 27, 28, 29, 30 & 31 COOPERS SUBDIVISION

SITE PLAN Scheme C

REVISED MARCH 30, 2004



PROPOSED MANUFACTURING ADDITION

YAREMA DIE & ENGINEERING
283 MINNESOTA AVE. TROY, MICHIGAN

(248) 577-5097

DANIEL F. DE REMER AIA ARCHITECT
(248) 650-9898

RECEIVED
MAR 31 2004
BUILDING DEPARTMENT

2479 2475

ELLIOTT

446

433

401

391

373

327

283

251

247

243

225

151

2546

2568
2570
2572
2574

2612

2626

2654

2694

2

356

340

308

314
312

286

274

264

256

376

364

342

336

300

272

256

224

122

379

353

315

261

239

217

143

354

164

MINNESOTA

INDUSCO CT



MINNESOTA

April 12, 2004

TO: John Szerlag, City Manager

FROM: Doug Smith, Real Estate and Development Director

SUBJECT: Property Proposal

I talked with Joel about Tom Krentzs' proposal regarding the property along the Fetterly Drain. He indicated that after careful consideration, while he appreciated the idea, he has no interest in it.


RECEIVED

February 10, 2004

MAR 08 2004

CITY OF TROY
CITY MANAGER'S OFFICE

TO: John Szerlag, City Manager

FROM: Doug Smith, Real Estate and Development Director 

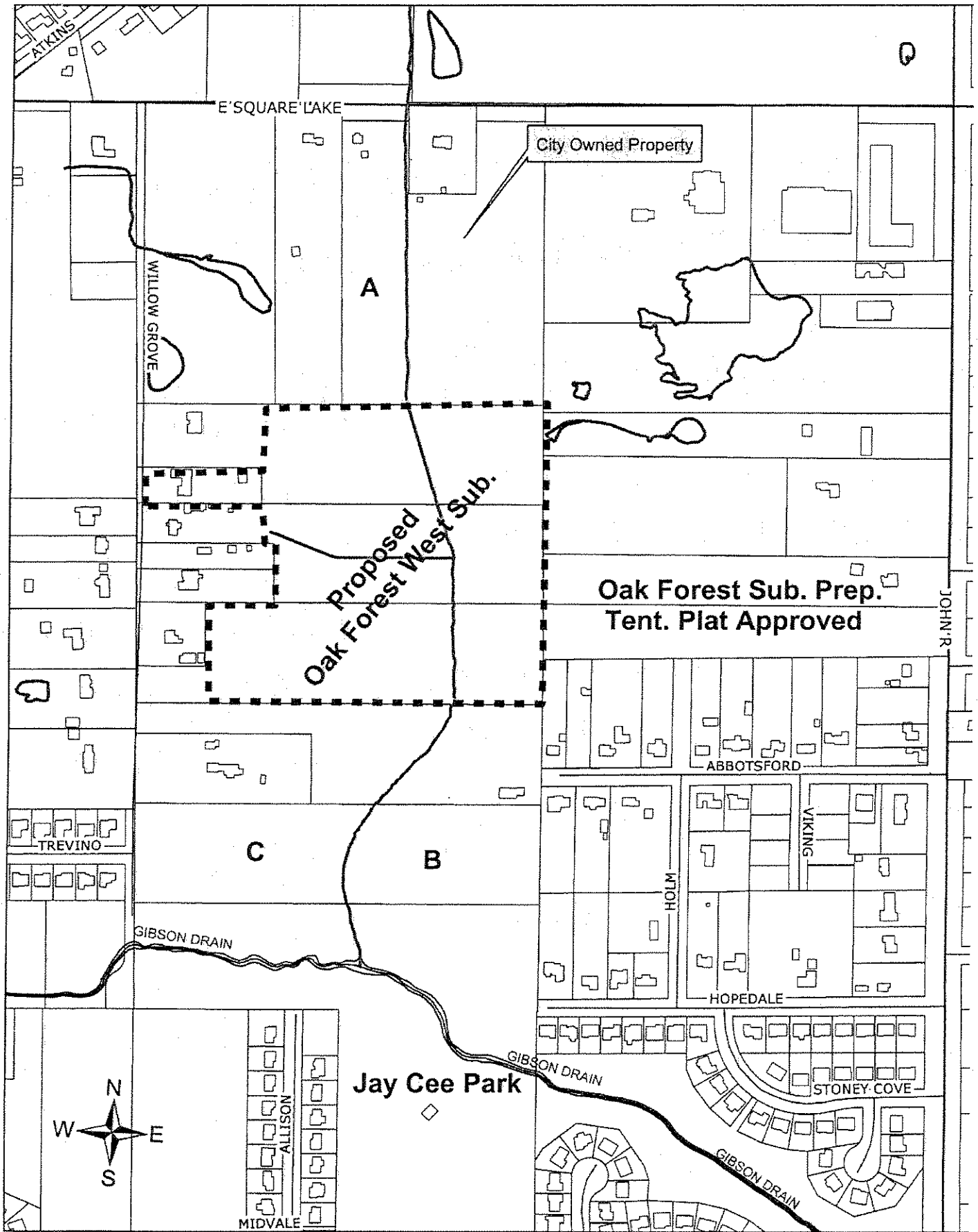
SUBJECT: AGENDA ITEM - Ladd's, Inc. 5-Acre Parcel Appraisal

City Council, at the regular meeting on Monday, October 20, 2003 adopted a resolution (2001-10-526), which permitted Ladd's, Inc. to get an appraisal on the 5-acre parcel south of Square Lake and west of the Fetterly Drain. The purpose of the appraisal would be to consider a trade of property with Ladd's, Inc. for property east of the Fetterly Drain just north of Jaycee Park or the potential consideration of sale of this property. No commitment was made by Council to pursue these transactions.

Per the resolution, Ladd's hired Integra Dean to appraise the property (see map Parcel A), which appraised at \$580,000. An earlier appraisal (by Integra Dean) of approximately 5-acres east of the Fetterly Drain just north of Jaycee Park appraised at \$540,000 (map Parcel B). Attached is the letter dated February 9, 2004 from Mr. Dale Garrett proposing that Ladd's, Inc. would either trade the 5-acre city owned parcel on Square Lake (A) for the eastern half (B) of Garrett's parcel (#20-11-201-012), or would purchase the 5-acre city owned parcel (A) outright for the appraised value of \$580,000.

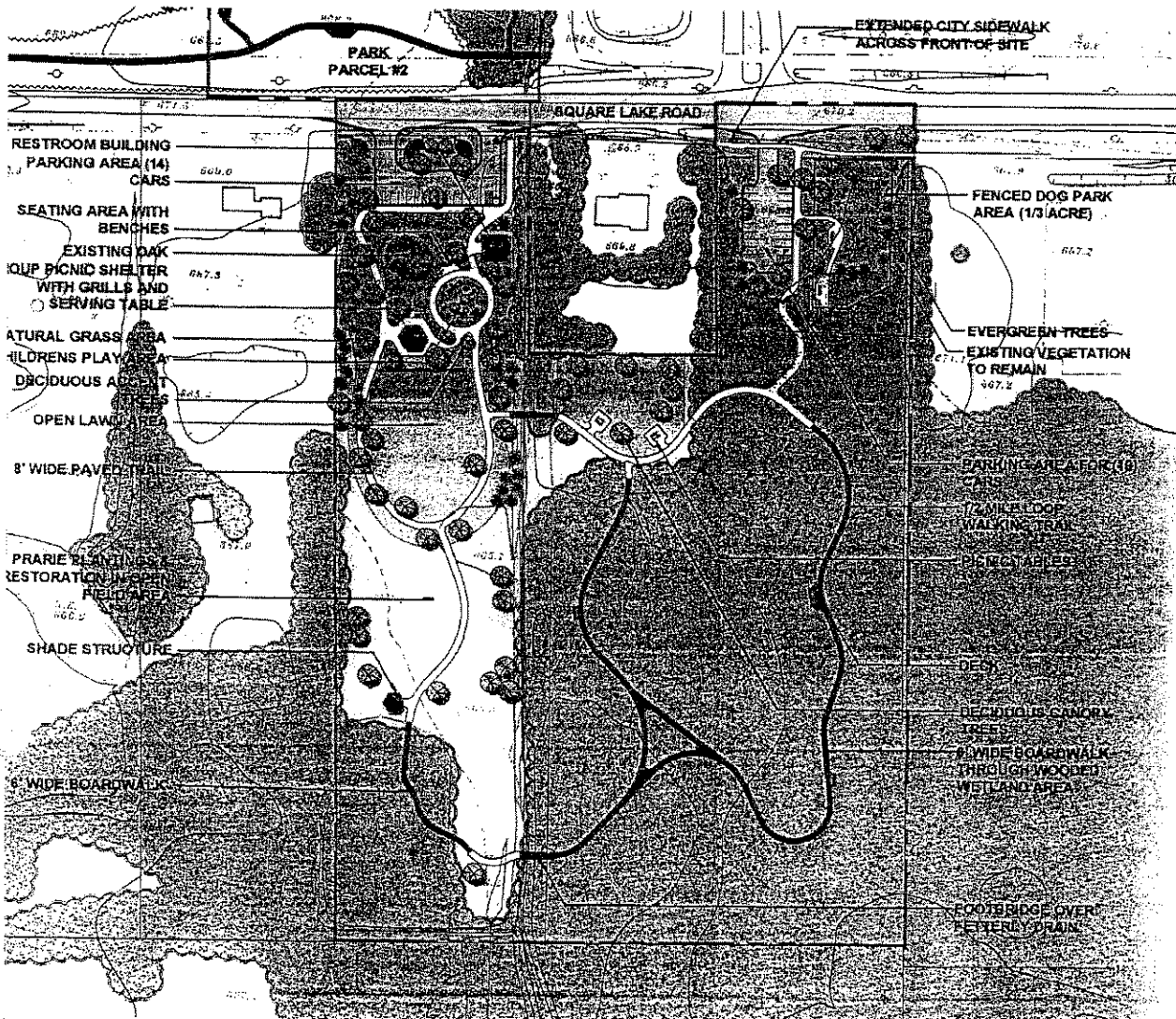
Management, after reviewing the appraisals and the properties in question, believe that Council has at least four options regarding these offers. First, would be not to sell the property and develop the park as proposed when funding becomes available (see Attachment 1). Secondly, to sell the property to Ladd's for the appraised value. Third, trade the 5-acre city owned parcel (A) for the eastern half of Ladd's property (B). Fourth, counter offer with a trade of the 5-acre parcel (A) for the approximately 5-acres west of the drain (C), which would provide an expansion of Jaycee Park.

F-7



1 inch equals 400.0 feet

ATTACHMENT 1

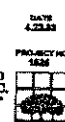


CONCEPT PLAN **PARKS MASTER PLANNING**

PARCEL #3 - SECTION 11 - 11.99 AC.



M.C. SMITH ASSOCIATES AND ARCHITECTURAL GROUP, INC.
Professional Engineers, Surveyors, Planners, Architects
 1000 West 10th Street, Suite 100, Troy, Michigan 48060
 Phone: (313) 255-1234 Fax: (313) 255-1235



LADD'S, Inc.

Real Estate & Development - SINCE 1906

5877 LIVERNOIS, SUITE 103, TROY, MI 48098
VOICE: 248-828-1726 • FAX: 248-828-3573

February 9, 2004

Doug Smith
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Re: City-owned property, Tax Parcel # 20-11-201-003

Dear Mr. Smith:

I have provided you with appraisal that we commissioned for the above-referenced property. This appraisal was performed as part of a possible trade for the eastern part of our parcel # 20-11-201-012 that would help to establish the long-discussed linear park in Section 11.

We are still prepared to enter into this trade under the terms previously stated in my letter of October 1, 2003. We would also be willing to purchase outright the city-owned parcel for the price stated in the appraisal.

Please advise as to how the City would like to proceed.

Sincerely,



Dale E. Garrett

BACKGROUND INFORMATION

LADD'S, Inc.

Real Estate & Development - SINCE 1906

5877 LIVERNOIS, SUITE 103, TROY, MI 48098
VOICE: 248-828-1726 • FAX: 248-828-3573

October 1, 2003

John Szerlag
City Manager
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Re: Property owned by City, Tax Parcel #20-11-201-003

Dear Mr. Szerlag:

Although the linear park concept in Section 11 has been rejected due to the lack of funds for the purchase of new property, there has been a continuing interest to explore whether some of the goals of the linear park can be accomplished at a reduced cost to the City.

We have examined the viability of a land trade involving only two parcels: the five acres owned by the City west of the Fetterly Drain (parcel # 11-201-003) and the portion of our parcel #11-201-012 that lies east of the Fetterly Drain, comprising approximately 4.77 acres. We concluded that this would be viable from the point of view of our development. The City would probably do an exchange only if it were cost neutral, i.e., did not involve any payments by the City. We would do an appraisal of the City's parcel and compare the value to the appraisal of our property that was done in 2002. Any shortfall in value could be compensated for by, for example, putting up money for the improvement of the future park, or for other improvements in the area.

If this trade were executed, then the regional detention facility would still be located on the east side of the drain, on what would then be City property. The wetlands mitigation areas for the development would also be located on the east side of the drain, but on private property. Although the City would not own all the land east of drain as in the linear park concept, there would still be a large contiguous area of open space, in part public and in part private. Also, an easement could be provided across the private property that would allow for a pedestrian link between the City-owned land to the north and the south.

This concept would accomplish many of the objectives of the linear park, but with no extra expenditures by the City for land acquisition. If this is something that the City would like to pursue, we will commission the appraisal work as soon as possible.

Sincerely,



Dale E. Garrett

Cc: Gary Shripka, Assistant City Manager
Steve Vandette, City Engineer
Doug Smith, Real Estate and Development Director

F-11 Modified Linear Park and Regional Detention Pond Concept for Oak Forest Subdivisions

Resolution #2003-10-
Moved by Lambert
Seconded by Pryor

RESOLVED, That the developer of the Oak Forest subdivisions should **PROCEED** with the selection and hiring of an appraiser; and

BE IT FURTHER RESOLVED, That the appraiser's credentials **SHALL BE SUBMITTED** to the City's Real Estate and Development Department for review and approval prior to proceeding with an appraisal of approximately five (5) acres of city owned property located west of the Fetterly Drain and being the westerly part of Parcel #88-20-11-201-024; and

BE IT FINALLY RESOLVED, That **NO PROPOSAL SHALL BE SUBMITTED** to City Council that includes any payment for land, regional detention, drain improvements, wetland mitigation or easements related to development of the Oak Forest subdivisions.

Proposed Amendment #1

Resolution #2003-10-
Moved by Beltramini
Seconded by Pryor

RESOLVED, That the Resolution be **AMENDED DIRECTING** the City Attorney to **PREPARE** a written opinion on all of the attendant legal questions in the proposal prior to Mr. Garrett or the City of Troy seeking an appraiser.

Vote on Amendment to Amendment #1

Resolution #2003-10-523
Moved by Beltramini
Seconded by Eisenbacher

RESOLVED, That the AMENDMENT be **AMENDED** by **STRIKING** "should" and **INSERTING** "may" in the first RESOLVED of the Resolution.

Yes: All-6
No: None
Absent: Stine

Vote on Amended Amendment #1

Resolution #2003-10-524

Moved by Beltramini

Seconded by Pryor

RESOLVED, That the Resolution be **AMENDED DIRECTING** the City Attorney to **PREPARE** a written opinion on all of the attendant legal questions in the proposal prior to Mr. Garrett or the City of seeking an appraisal.

RESOLVED, That the Resolution be **AMENDED** by **STRIKING** "should" and **INSERTING** "may" in the first RESOLVED of the Resolution.

Yes: All-6

No: None

Absent: Stine

Vote on Amendment #2

Resolution #2003-10-525

Moved by Pryor

Seconded by Broomfield

RESOLVED, That the Resolution be **AMENDED** by **INSERTING**, "RESOLVED, That both properties be evaluated by the same appraiser."

Yes: Lambert, Pryor, Beltramini, Broomfield, Eisenbacher

No: Howrylak

Absent: Stine

MOTION CARRIED

Vote on Resolution as Amended

Resolution #2003-10-526

Moved by Lambert

Seconded by Pryor

RESOLVED, That the developer of the Oak Forest subdivisions may **PROCEED** with the selection and hiring of an appraiser; and

RESOLVED, That the City Attorney **PREPARE** a written opinion on all of the attendant legal questions in the proposal prior to Mr. Garrett or the City seeking an appraisal; and

RESOLVED, That both properties be evaluated by the same appraiser; and

BE IT FURTHER RESOLVED, That the appraiser's credentials **SHALL BE SUBMITTED** to the City's Real Estate and Development Department for review and approval prior to proceeding with an appraisal of approximately five (5) acres of City owned property located west of the Fetterly Drain and being the westerly part of Parcel #88-20-11-201-024; and

BE IT FINALLY RESOLVED, That **NO PROPOSAL SHALL BE SUBMITTED** to City Council that includes any payment for land, regional detention, drain improvements, wetland mitigation or easements related to development of the Oak Forest subdivisions.

Yes: Lambert, Pryor, Beltramini, Broomfield

No: Eisenbacher, Howrylak

Absent: Stine

MOTION CARRIED

LADD'S, Inc.

Real Estate & Development - SINCE 1906

5877 LIVERNOIS, SUITE 103, TROY, MI 48098
VOICE: 248-828-1726 • FAX: 248-828-3573

August 20, 2003

City Council
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Re: Property owned by City, Tax Parcel #20-11-201-003

Honorable Mayor and Members of the Council:

During our discussions regarding the now-abandoned proposal for the linear park in Section 1.1, it was pointed out that there is currently not enough funding to develop the property intended for parks that is already owned by the City

We would propose to buy outright from the City the five-acre parcel west of the Fetterly Drain that was intended as part of the land trade for the park. This property would become part of our development, and the proceeds from the sale could be used by the City to develop other parcels intended to be parkland.

We appreciate your consideration of this proposal. Please have the City administration contact us if you would like to explore it further.

Sincerely,



Dale E. Garrett

**SUMMARY OF APPRAISAL
OF CITY OWNED 5-ACRES**

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

INDUSTRIAL BUILDING	
Property	5 Acres of Vacant Land South side of Square Lake Road, West of John R Road8 Troy Oakland County, Michigan
Property Tax Identification Number	Part of 88-20-11-201-024
Effective Date of the Appraisal	December 10, 2003
Date of the Report	December 12, 2003
Owner of Record	City of Troy
Land Area	5 acres or 217,821 square feet
Current Occupancy	100% owner-occupied
Zoning Designation	R-1C, One-Family Residential
Highest and Best Use	Residential Development
Property Rights Appraised	Fee Simple interest
Estimated Exposure & Marketing Time	6 to 9 Months
Market Value Indications	
Sales Comparison Approach	\$580,000
Income Capitalization Approach	Not Applicable
Cost Approach	Not Applicable
Market Value Conclusion	\$580,000

**SUMMARY OF APPRAISAL
OF GARRETT PROPERTY
EAST OF FETTERLY DRAIN**

SUMMARY OF SALIENT FACTS

BEFORE ACQUISITION

LOCATION: East side of Willow Grove Road
South of Square Lake Road
Troy, Michigan

TYPE OF PROPERTY: Residentially zoned vacant land.

LAND SIZE: The land area equates to approximately 10 acres or 435,600 square feet. (only the 4.8 acres east of the drain was appraised)

PRESENT USE: Vacant Land.

HIGHEST AND BEST USE: Development consistent with Single-Family Residential zoning classification.

DATE OF VALUE: June 21, 2002

PROPOSED ACQUISITION

DESCRIPTION OF ACQUISITION: The proposed acquisition consists of the easterly portion of the property that lies east of the drain that traverses in a north/south direction through the property. For the most part, the area is basically rectangular in shape. Based on information provided, the proposed acquisition area contains approximately 207,660 square feet or 4.767 acres. The area is comprised entirely of vacant, undeveloped land.

PRESENT USE: Part of a larger tract of vacant, residentially zoned property.

VALUE INDICATED VIA COST APPROACH: Not Applicable

VALUE INDICATED VIA INCOME APPROACH: Not Applicable

VALUE INDICATED VIA MARKET APPROACH: \$540,300

**INDICATED COMPENSATION FOR
FEE SIMPLE ACQUISITION:** \$540,300

A Regular Meeting of the Troy City Council was held Monday, April 12, 2004, at City Hall, 500 W. Big Beaver Road. Mayor Pryor called the Meeting to order at 7:32 P.M.

ROLL CALL

PRESENT: Mayor Matt Pryor
Robin E. Beltramini
Cristina Broomfield
David Eisenbacher
Martin F. Howrylak
David A. Lambert
Jeanne M. Stine

The Invocation was given by Mr. T.J. Klapperich – First Baptist Church and the Pledge of Allegiance to the Flag was given.

PRESENTATION: No Presentations scheduled.

PUBLIC HEARINGS: No Public Hearings scheduled.

POSTPONED ITEM: No Postponed Items brought forward.

PUBLIC COMMENT:

A. Items on the Current Agenda

B. Items Not on the Current Agenda

CONSENT AGENDA: No Consent Agenda items presented.

REGULAR BUSINESS

F-1 Minutes: Regular Meeting of March 22, 2004 and March 29, 2004

Resolution #2004-04-177
Moved by Lambert
Seconded by Stine

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of March 22, 2004 and the Minutes of the 7:30 PM Joint Meeting of March 29, 2004 be **APPROVED** as submitted.

Yes:All-7

F-2 Minutes: Board of Canvassers – Meeting of April 6, 2004

Resolution #2004-04-178

Moved by Beltramini

Seconded by Eisenbacher

RESOLVED, That the Minutes of the Board of Canvassers Meeting of Tuesday, April 6, 2004 be **RECEIVED**.

Yes: All-7

COUNCIL COMMENTS/COUNCIL REFERRALS: No Council Referrals advanced.

REPORTS AND COMMUNICATIONS: No Reports and Communications submitted.

PUBLIC COMMENT

STUDY ITEMS: No Study Items submitted.

The meeting **ADJOURNED** at 7:48 PM.

Matt Pryor, Mayor

Tonni L. Bartholomew, MMC - City Clerk

A Regular Meeting of the Troy City Council was held Monday, April 12, 2004, at City Hall, 500 W. Big Beaver Road. Mayor Pro Tem Lambert called the Meeting to order at 8:09 P.M.

The Invocation was given by Father Ron Jozwiak – St. Elizabeth Ann Seton and the Pledge of Allegiance to the Flag was given.

PRESENTATION:

A-1 2004-2005 City Council Convenes: (a) Installation of New Members; (b) Adoption of Rules of Procedure; (c) Appointment of Mayor Pro Tem

(a) Installation of New Members

Members of the City Council who begin new terms will be administered the Oath of Office by 52-4 District Court Judges William E. Bolle, Dennis C. Drury, and Michael A. Martone.

ROLL CALL

PRESENT: Mayor Louise E. Schilling
 Robin E. Beltramini
 Cristina Broomfield
 David Eisenbacher
 Martin F. Howrylak
 David A. Lambert
 Jeanne M. Stine

(b) Adoption of Rules of Procedure

Resolution
 Moved by Howrylak
 Seconded by Eisenbacher

RESOLVED, That the Rules of Procedure of the City Council of the City of Troy are hereby **READOPTED** as they are currently in place.

Proposed Substitute Amendment

Resolution
 Moved by Lambert
 Seconded by Stine

RESOLVED, That the Resolution be **SUBSTITUTED** by **INSERTING**, “RESOLVED, That the current Rules of Procedure of the City Council of the City of Troy are hereby READOPTED until the Rules of Procedure can be resubmitted as an agenda item at the regular meeting SCHEDULED for Monday, April 19, 2004.” and by **INSERTING**, “BE IT FURTHER RESOLVED, That the City of Troy City Council Rules of Procedure Article 1. APPOINTMENT OF MAYOR PRO TEM shall be ADOPTED as follows: The selection of Mayor Pro Tem shall proceed in a linear fashion based on seat rotation in the following order: Beltramini, Eisenbacher, Broomfield, Howrylak, Stine, Lambert.”

Proposed Amendment to Substituted Resolution

Resolution

Moved by Broomfield

Seconded by Eisenbacher

RESOLVED, That the Substitute Amendment be **AMENDED** by **STRIKING**, “until the Rules of Procedure can be resubmitted as an agenda item at the regular meeting SCHEDULED for Monday, April 19, 2004” and **INSERTING** “until the Rules of Procedure can be submitted as an agenda item at a study session meeting SCHEDULED for Monday, April 19, 2004.”

Vote on Substituted Amendment

Resolution #2004-04-179

Moved by Lambert

Seconded by Stine

RESOLVED, That the Resolution be **SUBSTITUTED** by **INSERTING**, “RESOLVED, That the current Rules of Procedure of the City Council of the City of Troy are hereby READOPTED until the Rules of Procedure can be resubmitted as an agenda item at the regular meeting SCHEDULED for Monday, April 19, 2004.” and by **INSERTING**, “BE IT FURTHER RESOLVED, That the City of Troy City Council Rules of Procedure Article 1. APPOINTMENT OF MAYOR PRO TEM shall be ADOPTED as follows: The selection of Mayor Pro Tem shall proceed in a linear fashion based on seat rotation in the following order: Beltramini, Eisenbacher, Broomfield, Howrylak, Stine, Lambert.”

Yes: All-7

Vote on Amendment to Substituted Resolution

Resolution #2004-04-180

Moved by Broomfield

Seconded by Eisenbacher

RESOLVED, That the Substitute Amendment be **AMENDED** by **STRIKING**, “until the Rules of Procedure can be resubmitted as an agenda item at the regular meeting SCHEDULED for Monday, April 19, 2004” and **INSERTING** “until the Rules of Procedure can be submitted as an agenda item at a study session meeting **SCHEDULED** for Monday, April 19, 2004.”

Yes: All-7

Vote on Substituted Resolution as Amended

Resolution #2004-04-181

Moved by Howrylak

Seconded by Eisenbacher

RESOLVED, That the current Rules of Procedure of the City Council of the City of Troy are hereby **READOPTED** until the Rules of Procedure can be submitted as an agenda item at a study session meeting **SCHEDULED** for Monday, April 19, 2004; and

BE IT FURTHER RESOLVED, That the City of Troy City Council Rules of Procedure Article 1. APPOINTMENT OF MAYOR PRO TEM shall be **ADOPTED** as follows: The selection of Mayor Pro Tem shall proceed in a linear fashion based on seat rotation in the following order: Beltramini, Eisenbacher, Broomfield, Howrylak, Stine, Lambert.

Yes: All-7

(c) Appointment of Mayor Pro Tem

Resolution #2004-04-182

Moved by Lambert

Seconded by Stine

RESOLVED, That Robin Beltramini is hereby **APPOINTED** to serve as Mayor Pro Tem for the 2004-2005 City Council of the City of Troy.

Yes: All-7

A-2 Presentation: Jeff Pardee – GFOA State Representative presented the City of Troy with the Distinguished Budget Presentation Award.

PUBLIC HEARINGS: No Public Hearings scheduled.

POSTPONED ITEMS:

D-1 Amendment to Rules of Procedure – Proposed by Council Member Beltramini from the Regular Meeting of March 1, 2004

Resolution

Moved by Beltramini

Seconded by Stine

RESOLVED, That Council Rules of Procedure be **AMENDED** as proposed and further revised on March 1, 2004 effective at the next meeting of Council.

Vote on Amendment

Resolution

Moved by Pryor

Seconded by Howrylak

RESOLVED, That the Resolution to "*Amend the City Council Rules of Procedure – Proposed by Council Member Beltrami*" be **AMENDED** by placing non-agenda items to be addressed be placed before Reports and Communications, G items.

PUBLIC COMMENT:

A. Items on the Current Agenda

F-5 Approval of Subdivision Entrance Sign/Agreement – Woodside Manor Subdivision

Resolution #2004-04-183
Moved by Stine
Seconded by Eisenbacher

RESOLVED, That the sign application submitted by the Woodside Manor Homeowners Association for the placement of a sign in the median of the intersection of Teakwood Drive and Square Lake Road is hereby **APPROVED** as to the design and materials proposed; and

BE IT FURTHER RESOLVED, That the agreement regarding the maintenance and liability coverage for the sign is also approved and the Mayor and City Clerk are **AUTHORIZED** to sign the attached agreement on behalf of the City.

Yes: All-7

F-6 2004 Magic of Fall/Troy Daze Festival Schedule/Fees

Resolution #2004-04-184
Moved by Howrylak
Seconded by Broomfield

RESOLVED, That the Troy Daze/Magic of Fall schedule and fees are hereby **APPROVED** as requested by the Troy Daze Advisory Committee with the **EXCEPTION** that there not be fees for political candidates, and a copy shall be **ATTACHED** to and made a part of the original Minutes of this meeting.

Yes: Lambert, Schilling, Beltrami, Broomfield, Eisenbacher, Howrylak
No: Stine

MOTION CARRIED

F-11 Water System Feasibility Study

Resolution #2004-04-185

Moved by Stine

Seconded by Beltramini

WHEREAS, Various Oakland and Macomb County communities are interested in evaluating the feasibility and costs to establish a water authority (or authorities) to construct facilities and deliver water to member service areas.

WHEREAS, On behalf of St. Clair Shores and Warren, internal staff and outside consultant Anderson, Eckstein & Westrick, have prepared a "*Request for Proposal*" (RFP) to perform a Water System Feasibility Study.

WHEREAS, At a recent meeting of the member communities it was agreed that each potential member community must secure a financial commitment from their local council and assign a staff member to sit on the RFP Review Committee.

WHEREAS, It is required that each community take formal action to commit to the Study and report back to the Review Committee by April 16, 2004.

NOW, THEREFORE, BE IT RESOLVED, That the City of Troy hereby **AGREES** to take part in the RFP process; and

BE IT FURTHER RESOLVED, That the City of Troy hereby **ASSIGNS** City Engineer, Steven J. Vandette as its liaison and member of the RFP Review Committee; and

BE IT FINALLY RESOLVED, That the City of Troy hereby **AGREES** to allocate its share on a population basis not to exceed \$40,500.00 for the Study.

Yes: All-7

B. Items Not on the Current Agenda

The meeting **RECESSED** at 9:30 PM.

The meeting **RECONVENED** at 9:43 PM.

F-9 Standard Purchasing Resolution 8: Best Value Process Award – Food Service Provider Sanctuary Lake Golf Course

Resolution #2004-04-186

Moved by Eisenbacher

Seconded by Beltramini

RESOLVED, That a contract to provide Food Service at Sanctuary Lake Golf Course for one year with an option to renew for two additional one-year periods is hereby **AWARDED** to

Emerald Food Service, Inc. the bidder with the highest score and overall return, as a result of a Best Value process which the Troy City Council determines to be in the public interest at a guaranteed minimum of \$10,000.00 per year or an incremental revenue sharing plan as detailed in Appendix 1, based upon recasting the Lease Agreement to include the Community Center Café Operation and Sanctuary Lake combined; copies of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of proper contract and proposal documents, including insurance certificates and all specified requirements.

Yes: All-7

CONSENT AGENDA

E-1 Approval of Consent Agenda

Resolution #2004-04-187
Moved by Beltrami
Seconded by Lambert

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items E-5, E-7 and E-10, which shall be considered after Consent Agenda (E) items, as printed.

Yes: All-7

E-2 Minutes: No City Council Minutes submitted.

E-3 Proposed City of Troy Proclamations: No City of Troy Proclamations submitted.

E-4 Standard Purchasing Resolution 3: Exercise Renewal Option – Transit Mixed Concrete

Resolution #2004-04-187-E-4

WHEREAS, On March 3, 2003, one-year contracts with an option to renew for one additional year to provide transit mixed concrete was awarded to the low bidders, Superior Materials, Inc., the primary supplier and Van Horn Concrete, the secondary supplier (Resolution #2003-03-126-E-9); and

WHEREAS, Both awarded bidders have agreed to exercise the one-year option to renew under the same prices, terms, and conditions.

NOW, THEREFORE, BE IT RESOLVED, That the options to renew the contracts are hereby **EXERCISED** with Superior Materials, Inc., the primary supplier and Van Horn Concrete, the

secondary supplier, to provide transit mixed concrete for an estimated total cost of \$162,000.00, under the same contract prices, terms, and conditions expiring April 30, 2005.

E-6 Standard Purchasing Resolution 1: Award to Low Bidder – Mosquito Control

Resolution #2004-04-187-E-6

RESOLVED, That a two-year contract for mosquito control with an option to renew for one (1) additional year is hereby **AWARDED** to the low bidder, Advanced Pest Management, of Fenton, Michigan for an estimated total two-year cost of \$117,900.00, at unit prices contained in the bid tabulation opened March 10, 2004, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of properly executed bid and contract documents, including insurance certificates and all other specified requirements.

E-8 Request for Acceptance of Permanent Sanitary Sewer Easement: Sidwell No.'s 88-20-18-477-046, -070, -071 & -072 – Project No. 01.913.3 – 4175 Coolidge Lot Splits

Resolution #2004-04-187-E-8

RESOLVED, That the Permanent Easement for sanitary sewer from Woodward Common Land Company, L.L.C., a Michigan Limited Liability Company, having Sidwell No.'s 88-20-18-477-046, -070, -071 and -072, is hereby **ACCEPTED**; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** said permanent easement with Oakland County Register of Deeds; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-9 Standard Purchasing Resolution 9: Approval to Expend Funds for Membership Dues and Membership Renewals Over \$10,000.00 – 2003/04 Michigan Municipal League Membership Renewal

Resolution #2004-04-187-E-9

RESOLVED, That approval is **GRANTED** to pay the 2003/04 Michigan Municipal League membership fee covering the time period of May 1, 2004 through April 30, 2005 in the amount of \$13,474.00.

E-11 Standard Purchasing Resolution 1: Award to Low Bidders – Liquid Calcium Chloride

Resolution #2004-04-187-E-11

RESOLVED, That a contract to provide one-year requirements of Liquid Calcium Chloride with an option to renew for one additional year is hereby **AWARDED** to the low bidders, South Huron Industries, Inc., as the primary supplier and Michigan Chloride Sales, Inc. as the secondary supplier for Option B, at an estimated total cost of \$54,000.0, which includes \$500.00 for the "additional insured endorsement" clause, at unit prices contained in the bid tabulation opened March 5, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contract submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements.

E-12 Standard Purchasing Resolution 1: Award to Sole Bidder – Electrical Upgrades at the Troy Museum and Historic Village

Resolution #2004-04-187-E-12

RESOLVED, That a contract to upgrade electrical service at the Museum and Historic Village is hereby **AWARDED** to the sole bidder, Shoreview Electric Company, for an estimated total cost of \$34,500.00; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon vendor submission of proper contract and bid documents, including insurance certificates and all other specified requirements; and if additional work is required that could not be foreseen, such additional work is **AUTHORIZED** in an amount not to exceed 10% of the total project cost or \$3,450.00.

ITEMS TAKEN OUT OF ORDER

E-5 Application for New Class C (Quota) License by Fleming's/Great Lakes-I, Limited Partnership (Fleming's Steak House)

(a) Request for a New Quota Class C Licensed Business

Resolution #2004-04-188a

Moved by Stine

Seconded by Lambert

RESOLVED, That the request from Fleming's/Great Lakes-I, Limited Partnership for a new Quota Class C licensed business with Sunday Sales, Official Permit (food) and Outdoor Service Area, located at 3001 W. Big Beaver Rd., Troy, MI 48084, Oakland County [MLCC REQ ID #238468] "above all others"; be considered for **APPROVAL**. It is the consensus of this legislative body that the application be recommended "above all others" for issuance.

Yes: Broomfield, Eisenbacher, Lambert, Stine, Schilling, Beltramini

No: Howrylak

MOTION CARRIED

AND

(b) Approval of Agreement

Resolution #2004-04-188b

Moved by Stine

Seconded by Lambert

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby **APPROVES** an agreement with Fleming's/Great Lakes-I Limited Partnership, which shall become effective upon approval of the request for a new Quota Class C licensed business with Sunday Sales, Official Permit (Food) and Outdoor Service Area, "above all others", located at 3001 W. Big Beaver Rd., Troy, MI; and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Broomfield, Eisenbacher, Lambert, Stine, Schilling, Beltrami

No: Howrylak

MOTION CARRIED

E-7 Long Lake Road Development Partners L.L.C. and Good Development Company, L.L.C. v. City of Troy

Resolution #2004-04-189

Moved by Stine

Seconded by Howrylak

RESOLVED, That the City Attorney is hereby **AUTHORIZED AND DIRECTED** to represent the City of Troy in any and all claims and damages in the matter of Long Lake Road Development Partners, L.L.C. and Good Development Company, L.L.C. v. City of Troy and to **RETAIN** any necessary expert witnesses to adequately represent the City.

Yes: All-7

E-10 Standard Purchasing Resolution 1: Award to Low Bidder – Standard and Compound Water Meters

Resolution #2004-04-190

Moved by Beltrami

Seconded by Lambert

RESOLVED, That a two-year contract to provide Standard and Compound Water Meters with an option to renew for two additional years is hereby **AWARDED** to the low bidder, SLC Meter

Service, Inc., at an estimated annual cost of \$148,390.00, at unit prices contained in the bid tabulation opened January 28, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the contract award **INCLUDES** additional cable at \$.08 per foot and Neptune meter replacement parts at a discount of 10% off list.

Yes: All-7

REGULAR BUSINESS

F-1 Appointments to Boards and Committees: (a) Mayoral Appointments: No Mayoral appointments made and (b) City Council Appointments: 1. Advisory Committee for Persons with Disabilities; 2. Advisory Committee for Senior Citizens; 3. Board of Zoning Appeals; 4. Charter Revision Committee; 5. Library Board

(b) City Council Appointments

Resolution #2004-04-191

Moved by Beltramini

Seconded by Lambert

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

Advisory Committee for Persons with Disabilities

Appointed by Council (9 Regular, 3 Alternates) – 3 years

Adam Fuhrman

Term expires 11-01-2006 (Alternate)

Advisory Committee for Senior Citizens

Appointed by Council (9) – 3 years

Steven M. Banch

Term expires 04-30-2007

Board of Zoning Appeals

Appointed by Council (7) – 3 years

Marcia Gies

Term expires 04-30-2007

Charter Revision Committee

Appointed by Council (7) – 3 years

Jerry E. Bloom

Term expires 04-30-2007

Shirley Kanoza

Term expires 04-30-2007

Library Board**Appointed by Council (5) – 3 years**

Lynne R. Gregory

Term expires 04-30-2007

Nancy D. Wheeler

Term expires 04-30-2007

Yes: All-7

Appointments Carried-Over as Item F-1 on the Next Regular City Council Meeting Agenda Scheduled for April 19, 2004:**(a) Mayoral Appointments****Civil Service Commission (Act 78)****Mayor, Council Approval (3) – 6 years****(1-Mayor, 1-Police and Fire Depts. 1-Civil Service)**

Term expires 04-30-2010**Brownfield Redevelopment Authority****Mayor, Council Approval (7) – 3 years**

Bruce J. Wilberding seeks reappointment

Term expires 04-30-2007

Victor Lenivov seeks reappointment

Term expires 04-30-2007

Economic Development Corporation**Mayor, Council Approval (9) – 6 years**

Term expires 04-30-2009

Charles Salgat seeks reappointment

Term expires 04-30-2010

Term expires 04-30-2009

Term expires 04-30-2009**(b) City Council Appointments****Advisory Committee for Persons with Disabilities**

Term expires 07-01-2004 (Student)

Advisory Committee for Senior Citizens

Appointed by Council (9) – 3 years

Term expires 04-30-2007

Term expires 04-30-2007

Board of Zoning Appeals

Appointed by Council (7) – 3 years

Term expires 04-30-2007

Employees Retirement System Board of Trustees

3 by Council, 3 by Members, Assistant City Manager/Finance, City Manager – Ordinance – 3 years

Change in number of members to include a non-voting retiree member that is appointed by Council per Resolution by Council – March 1, 2004.

Retiree Appointment

Term expires 12-31-2004

Troy Daze

Appointed by Council (9) – 3 years

Term expires 11-30-2004

Term expires 07-01-2003 (Student)

F-2 Closed Session

Resolution #2004-04-192

Moved by Stine

Seconded by Broomfield

BE IT RESOLVED, That the City of Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e), Paul Mancini v City of Troy, after adjournment of this meeting.

Yes: All-7

F-3 Sole Source – Lifeguard/CPR Training Services Troy Family Aquatic Center and Troy Community Center

Resolution #2004-04-193

Moved by Stine

Seconded by Broomfield

WHEREAS, Jeff Ellis and Associates, Inc. is the sole known provider of complete services for Southeastern Michigan.

WHEREAS, Jeff Ellis and Associates, Inc. has been providing lifeguard services at the Troy Family Aquatic Center since it opened and Troy Community Center for the past two years.

NOW, THEREFORE, BE IT RESOLVED, That comprehensive lifeguard services **CONTINUE** throughout December 2004 at the Troy Family Aquatic Center and Troy Community Center and be **PROVIDED** by Jeff Ellis and Associates, Inc., the sole known provider, at an estimated total cost of \$30,000.00, at rates contained in Appendix I, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of properly executed contract documents, including insurance certificates, and any other contract requirements.

Yes: All-7

F-4 City of Troy v Rauhut – Oakland County Circuit Court Case No. 02-042746 CC

Resolution #2004-04-194

Moved by Stine

Seconded by Howrylak

RESOLVED, That the City of Troy City Council **APPROVES** the proposed consent judgment; a copy of which shall be **ATTACHED** to the original Minutes of this meeting, in the City of Troy v Rauhut condemnation case, Oakland County Circuit Court Case No. 02-042746 CC and **AUTHORIZES** payment in the amount stated therein, and further **AUTHORIZES** the Assistant City Attorney to **EXECUTE** the consent judgment on behalf of the City of Troy.

Yes: All-7

F-7 2004-05 Proposed Budget – Study Sessions

Resolution

Moved by Schilling

Seconded by Broomfield

RESOLVED, That the following study session dates are **SCHEDULED** for budget review:

Wednesday, April 21, 2004 at 7:30 PM in the Council Board Room
Monday, April 26, 2004 at 7:30 PM in the Council Board Room
Wednesday, April 28, 2004 at 7:30 PM in the Council Board Room

Vote on Amendment

Resolution #2004-04-195
Moved by Eisenbacher
Seconded by Lambert

RESOLVED, That the Resolution be **AMENDED** by **STRIKING** "7:30" for Wednesday, April 21, 2004 and Monday, April 26, 2004 and **INSERTING** "6:30".

Yes: All-7

Vote on Amended Resolution

Resolution #2004-04-196
Moved by Schilling
Seconded by Broomfield

RESOLVED, That the following study session dates are **SCHEDULED** for budget review:

Wednesday, April 21, 2004 at 6:30 PM in the Council Board Room
Monday, April 26, 2004 at 6:30 PM in the Council Board Room
Wednesday, April 28, 2004 at 7:30 PM in the Council Board Room

Yes: All-7

F-8 Amendment #1 – Hard Rock Concrete, Inc. – Sidewalk Replacement and Installation Program

Resolution #2004-04-197
Moved by Eisenbacher
Seconded by Stine

WHEREAS, A contract to provide Sidewalk Replacement and Installation was awarded to the low bidder, Hard Rock Concrete, Inc. on August 4, 2003, at an estimated cost of \$366,210.00, and if changes in the quantity of work are required, either additive or deductive, such changes are authorized in an amount not to exceed 25% of the contract total per year (Resolution #2003-08-425-E-9).

WHEREAS, It is recommended that the contract be amended to include amounts over the authorized 25% for work to be completed by June 15, 2004, to complete sidewalk installation for major road gaps and sidewalk replacement at scattered locations throughout the City of Troy.

NOW, THEREFORE, BE IT RESOLVED, That the contract is hereby **AMENDED** for additional sidewalk work at an estimated total cost of \$69,000.00.

Yes: All-7

F-10 Revisions to Chapter 97 - Troy City Code – Coin Operated Amusement Devices and Arcades

Resolution #2004-04-198

Moved by Stine

Seconded by Eisenbacher

RESOLVED, That an ordinance amendment to Chapter 97, Section 4 and Section 14 is hereby **ADOPTED** as recommended; a copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

COUNCIL COMMENTS/COUNCIL REFERRALS**REPORTS AND COMMUNICATIONS**

G-1 Minutes – Boards and Committees:

- (a) Board of Canvassers/Final – April 8, 2003
- (b) Historic Commission/Draft – November 24, 2003
- (c) Historic Commission/Draft – December 23, 2003
- (d) Employees' Retirement System Board of Trustees/Final – January 14, 2004
- (e) Historic Commission/Draft – January 27, 2004
- (f) Employees' Retirement System Board of Trustees/Final – February 11, 2004
- (g) Downtown Development Authority/Final – February 18, 2004
- (h) Historic Commission/Draft – February 24, 2004
- (i) Planning Commission/Special-Study/Final – February 24, 2004
- (j) Youth Council/Final – February 25, 2004
- (k) Planning Commission/Special-Study/Draft – March 2, 2004
- (l) Planning Commission/Special-Study/Final – March 2, 2004
- (m) Animal Control Appeal Board/Draft – March 3, 2004
- (n) Building Code Board of Appeals/Draft – March 3, 2004
- (o) Advisory Committee for Senior Citizens/Final – March 4, 2004
- (p) Liquor Advisory Committee/Draft – March 8, 2004
- (q) Planning Commission/Draft – March 9, 2004
- (r) Planning Commission/Final – March 9, 2004
- (s) Board of Zoning Appeals/Draft – March 16, 2004
- (t) Youth Council/Draft – March 24, 2004
- (u) Advisory Committee for Senior Citizens/Draft – April 1, 2004

Noted and Filed

G-2 Department Reports:

- (a) 2004 First Quarter Litigation Report

Noted and Filed

G-3 Announcement of Public Hearings:

- (a) Commercial Vehicle Appeal – 6881 Westaway – **SCHEDULED for April 19, 2004**
- (b) Parking Variance Request – 440 E. Maple – **SCHEDULED for April 19, 2004**
- (c) Parking Variance Request - 345 Minnesota – **SCHEDULED for April 19, 2004**
- (d) Commercial Vehicle Appeal –5184 Rochester – **SCHEDULED for April 19, 2004**

Noted and Filed

G-4 Green Memorandums:

- (a) Troy Fire Incentive Plan for Volunteer Firefighters

Noted and Filed

G-5 Proposed Proclamations/Resolutions from Other Organizations:

- (a) Resolution – City of Pleasant Ridge – Urge Michigan Legislature to Correct Assessment Inequity
- (b) Resolution – City of Clawson – Consideration of a Resolution in Opposition to House Bill 4234, a Bill to Exempt the First \$10,000.00 of Taxable Value from the Personal Property Tax Roll
- (c) Resolution – City of Madison Heights – Resolution Opposing Substitute for House Bill 4234

Noted and Filed

G-6 Calendar

Noted and Filed

G-7 Letters of Appreciation:

- (a) Letter of Appreciation from John F. Myszak III CSS/CPO – Directory of Security – Somerset Collection, to Officer Jay Reynolds Thanking Him for His Support to Somerset Collection Over the Years and for His Involvement With the Avril Lavigne Event
- (b) Letter of Appreciation from A.J. Desmond & Sons – Funeral Directors to Chief Craft Thanking Officer N. Kaptur for Her Presentation Regarding Fraud and Personal Safety
- (c) Letter of Appreciation from Gordon M. Armstrong – Adjunct Professor, Wayne State University, to Chief Craft Thanking Sergeant S. Post for Speaking to His Investigations Class
- (d) Letter of Appreciation from Wayne C. Wright to John Szerlag to Express His Appreciation of the DPW for Replacing His Mailbox in a Courteous and Respectful Manner and of the City Clerk's Office for Their Helpfulness and Professionalism in Issuing His Dog License and Absentee Voter Application
- (e) Letter of Appreciation from John F. Myszak III CSS/CPO – Director of Security – Somerset Collection, to Lieutenant Richard Riesterer Thanking the Troy Fire Department for Their Assistance with the Avril Lavigne Event Held at Somerset Collection
- (f) E-Mail from Debbie Morrison to Loraine Campbell Thanking Her for The Great Experience She Had When Her Son's Fourth Grade Class Toured the Historical Museum
- (g) E-mail from Terry Smith to Mark Stimac Thanking Him for His Assistance Regarding a Parking Issue on Her Street

- (h) Letter of Appreciation from Chief Theodore H. Quisenberry – Royal Oak Police Department, to Chief Craft Thanking Officer Ed Klutz for Assisting Their Agency by Participating in an Oral Review Board for the Position of K-9 Officer
 - (i) Letter of Appreciation from John F. Myszak III CSS/CPO – Director of Security – Somerset Collection, to Sergeant David Livingston Thanking Him for His Assistance with the Avril Lavigne Event Held at Somerset Collection
 - (j) Letter of Appreciation from Kevin M. Sagan – Madison Heights, Chief of Police, to Chief Craft Thanking Sgt. Michael Bjork for His Assistance in Arranging to Loan Equipment to Their Department for Training Purposes
- Noted and Filed

G-8 Memorandum – Re: Kunjamma Antony v. City of Troy
Noted and Filed

G-9 Memorandum – Re: City Employees’ Short-term Disability, Long-term Disability, Life, and Accidental Death and Dismemberment Insurance Coverage
Noted and Filed

G-10 Memorandum – Re: Annual Library Survey of Users
Noted and Filed

G-11 Survey – Re: 2003 Rouge River Watershed Frog and Toad Survey Results from Friends of the Rouge
Noted and Filed

G-12 Memorandum – Re: Distribution of the 2004-05 Budget
Noted and Filed

PUBLIC COMMENT

STUDY ITEMS – No Study Items submitted.

The meeting **ADJOURNED** at 10:52 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC - City Clerk

PROCLAMATION
Recording for the Blind & Dyslexic Week
April 19 – April 24, 2004

WHEREAS, **Recording for the Blind & Dyslexic of Michigan**, located at 5600 Rochester Road in Troy, Michigan, is a non-profit volunteer organization serving the blind and reading-handicapped population; and

WHEREAS, Their mission is “to promote educational and professional success by converting printed materials into audio format” and those audio textbooks are provided free of charge to over 7,000 student borrowers from kindergartener to graduate student; and

WHEREAS, The careful reading of textbooks, descriptions of graphs, charts, diagrams, maps, tables and so forth, by the dedicated and highly trained volunteers at **Recording for the Blind & Dyslexic of Michigan** gives reading-disabled students equal access to the written word; and

WHEREAS, **Recording for the Blind & Dyslexic of Michigan** will be conducting their **11th Annual Record-a-Thon**, the purpose of which is to record as many textbooks as possible for six continuous days during the **Week of April 19 – April 24, 2004**; and

WHEREAS, **Recording for the Blind & Dyslexic of Michigan** will start this event with a Celebrity Kickoff on **Monday, April 19, 2004** at 10:00 a.m.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy hereby proclaims **the week of April 19 – April 24, 2004**, as “**Recording for the Blind & Dyslexic Week**” in honor of the hard-working local volunteers who diligently give of their time and talents, not to mention their treasure, to provide equal educational opportunities to those who cannot read and who learn by listening.

Presented this 19th day of April 2004.

April 5, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Patricia A. Petitto, Senior Right of Way Representative

SUBJECT: AGENDA ITEM - REQUEST FOR ACCEPTANCE OF
PERMANENT EASEMENTS FOR SANITARY SEWER,
WATER MAIN, PEDESTRIAN ACCESS, PUBLIC WALK
AND EMERGENCY VEHICLE ACCESS
Sidwell #88-20-23-354-027, -028, -029, -030, -031, -041 & -042
Project No. 03.914.3 – Rochester Commons PUD

In connection with the development of the Rochester Commons PUD in the Southwest ¼ of Section 23, the Real Estate and Development Department has acquired permanent easements for sanitary sewer, water main, pedestrian access and emergency vehicle access from Gulf Rochester Commons, L.L.C., a Michigan Limited Liability Company. The consideration on each document is \$1.00.

Management recommends that City Council accept the attached easements.

cc: Steve Vandette, City Engineer

PERMANENT EASEMENT

Sidwell #88-20-23-354-027, -028, -029, -030, -031, -041 & -042

Gulf Rochester Commons, L.L.C., a Michigan Limited Liability Company, Grantors, whose address is 32400 Telegraph Road, Suite 100, Bingham Farms, MI 48025 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace sanitary sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed _____ signature(s) this 15th day of MARCH A.D. 2004

GULF ROCHESTER COMMONS, L.L.C.,
A MICHIGAN LIMITED LIABILITY COMPANY

By: SRJ Land Company, LLC, a Michigan
Limited Liability Company
Its: Member

By: SRJ Management, Inc., a Michigan
Corporation
Its: President (L.S.)

"Scott R. Jacobson, President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 1st day of March, 2004, by Scott R. Jacobson, the President of SRJ Management, Inc., a Michigan Corporation, as the Manager of SRJ Land Company, LLC, a Michigan Limited Liability Company, as the Member of Gulf Rochester Commons, L.L.C., a Michigan Limited Liability Company on behalf of said company.

MELBA AUSTIN
Notary Public, Wayne County, Mich.
Acting in OAKLAND County, Mich.
My Commission Expires July 1, 2004

Melba Austin

Notary Public, _____ County, Michigan
My Commission Expires _____

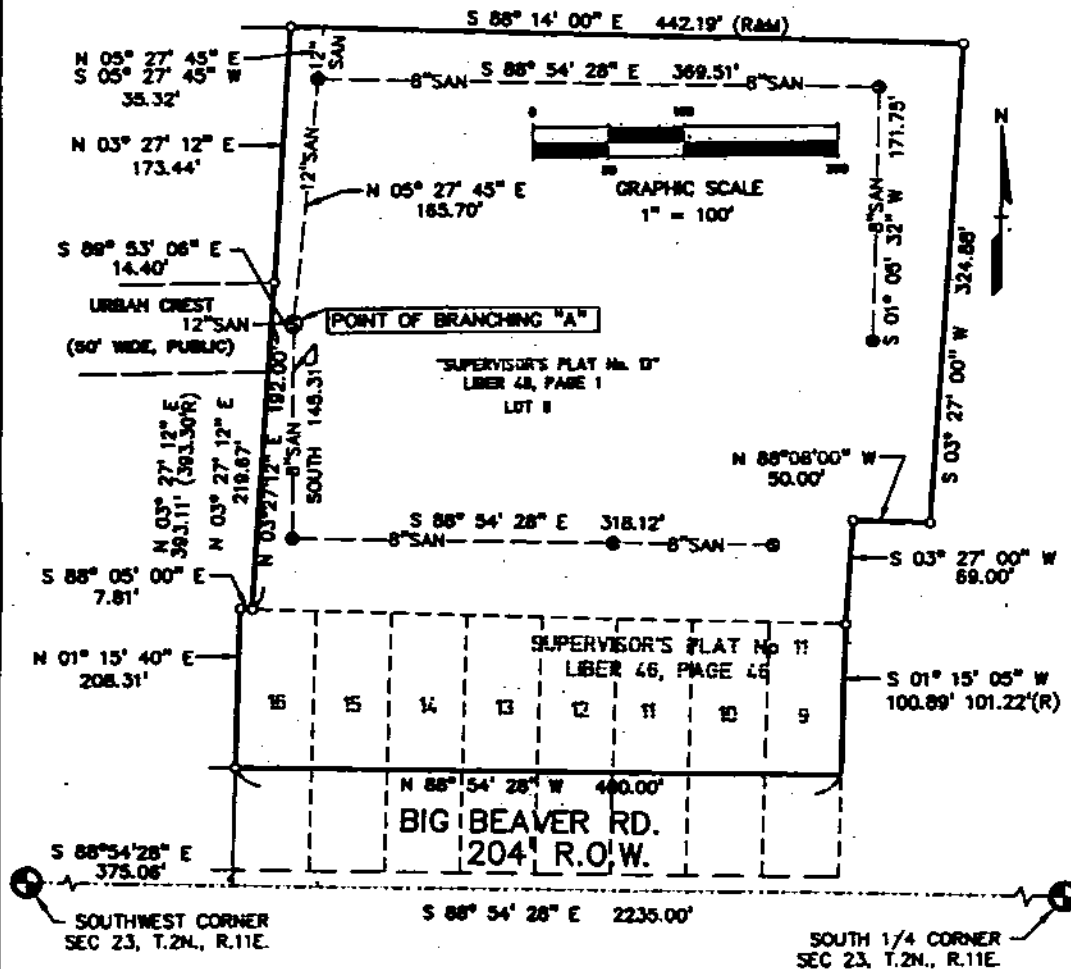
Prepared by: Patricia A. Petitto
City of Troy
500 W. Big Beaver Road
Troy, MI 48064

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48064

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT "A"

SKETCH OF SANITARY SEWER EASEMENT



LEGAL DESCRIPTION

SANITARY SEWER EASEMENT

A 20.00 FEET WIDE EASEMENT FOR THE CONSTRUCTION OPERATION, MAINTENANCE AND REPAIR OF A SANITARY SEWER OVER LOT 8 OF "SUPERVISOR'S PLAT NO. 13" (L. 48, P. 1), CITY OF TROY, OAKLAND COUNTY, MICHIGAN, THE CENTERLINE OF SAID SANITARY SEWER IS DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SECTION 23; THENCE ALONG THE SOUTH SECTION LINE S 88°54'28" E, 375.06 FEET; THENCE N 01°15'40" E, 208.31 FEET; THENCE S 88°05'00" E, 7.81 FEET; THENCE N 03°27'12" E, 192.00 FEET TO THE POINT OF BEGINNING; THENCE S 88°53'06" E, 14.40 FEET TO THE POINT OF BRANCHING "A"; THENCE N 05°27'45" E, 165.70 FEET; THENCE CONTINUING N 05°27'45" E, 35.32 FEET; THENCE S 05°27'45" W, 35.32 FEET; THENCE S 88°54'28" E, 369.51 FEET; THENCE S 01°05'32" W, 171.75 FEET TO THE POINT OF ENDING OF THE CENTERLINE; THENCE BEGINNING AT POINT OF BRANCHING "A" ALONG THE CENTERLINE OF THE EASEMENT SOUTH, 145.31 FEET; THENCE S 88°54'28" E, 318.12 FEET TO THE POINT OF ENDING OF THE CENTERLINE OF THE EASEMENT.

PROFESSIONAL
ENGINEERING
ASSOCIATES

CLIENT:
GULF ROCHESTER COMMONS, L.L.C.
2038 WEST BIG BEAVER, SUITE 200
TROY, MICHIGAN 48063

SCALE: 1" = 100'
DATE: 11-30-03

JOB No: 2003093
DWG. No: 1

2430 Rochester Ct Suite 100
Troy, MI 48063-1872
(248) 688-9090

PERMANENT EASEMENT

Sidwell #88-20-23-354-027, -028, -029, -030, -031, -041 & -042

Gulf Rochester Commons, L.L.C., a Michigan Limited Liability Company, Grantors, whose address is 32400 Telegraph Road, Suite 100, Bingham Farms, MI 48025 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace watermain, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBITS "A" and "B"

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed _____ signature(s) this 1st day of MARCH A.D. 2004

GULF ROCHESTER COMMONS, L.L.C.,
A MICHIGAN LIMITED LIABILITY COMPANY

By: SRJ Land Company, LLC, a Michigan
Limited Liability Company
Its: Member

By: SRJ Management, Inc., a Michigan
Corporation
Its: Manager [Signature] (L.S.)
*Scott R. Jacobson, President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 1st day of March, 2004, by Scott R. Jacobson, the President of SRJ Management, Inc., a Michigan Corporation as the Manager of SRJ Land Company, LLC, a Michigan Limited Liability Company, as the Member of Gulf Rochester Commons, L.L.C., a Michigan Limited Liability Company, on behalf of said company.

MELBA AUSTIN
Notary Public, Wayne County, Mich.
Acting in OAKLAND County, Mich.
My Commission Expires July 1, 2004

Melba Austin
Notary Public, OAKLAND County, Michigan

My Commission Expires _____

Prepared by: Patricia A. Pettito
City of Troy
500 W. Big Beaver Road
Troy, MI 48064

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48064

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT "A"

SKETCH OF WATERMAIN EASEMENT

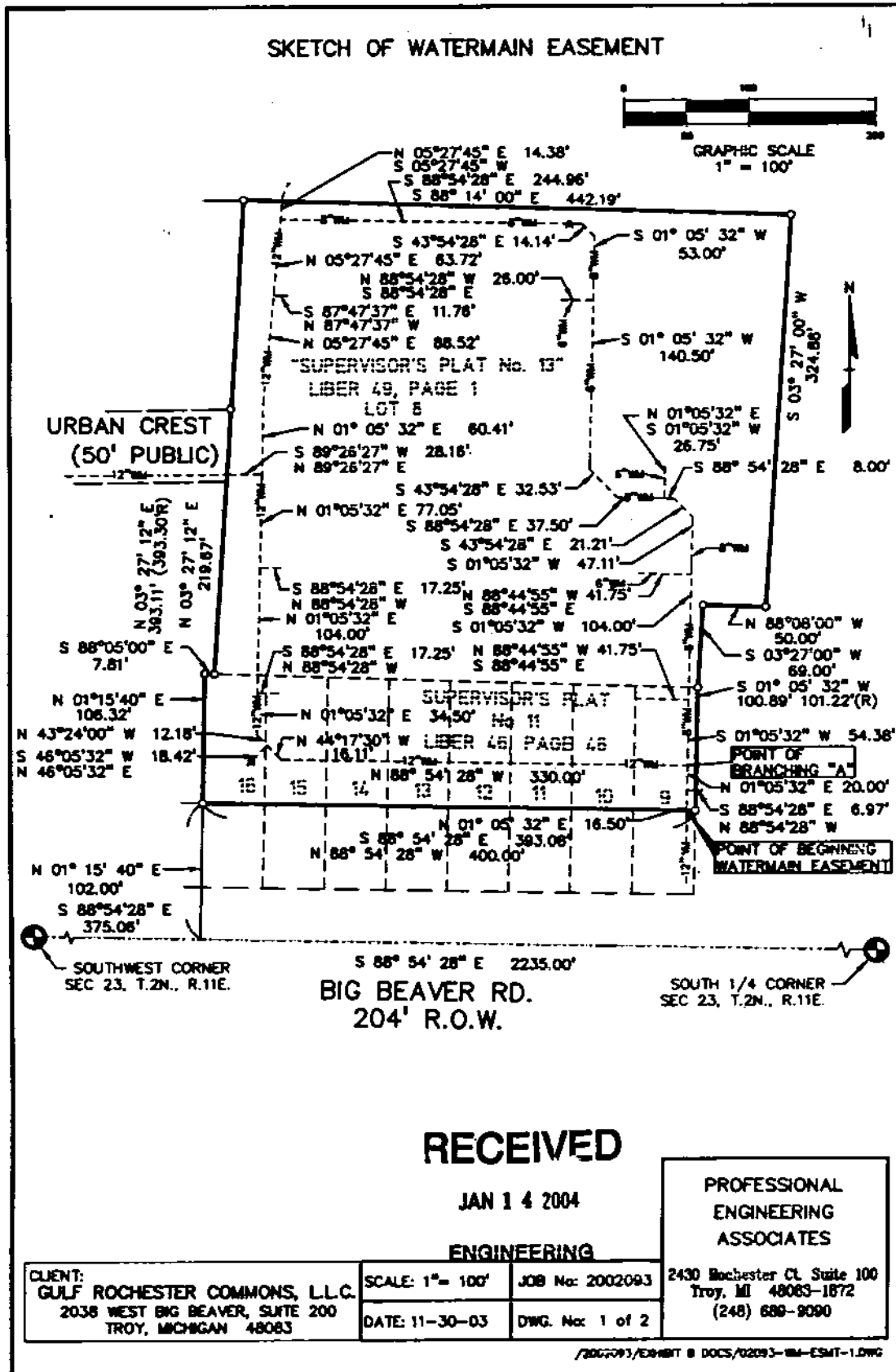


EXHIBIT "B"

LEGAL DESCRIPTION WATERMAIN EASEMENT

A 12 FEET WIDE EASEMENT FOR THE CONSTRUCTION, OPERATION, MAINTENANCE AND REPAIR OF A WATERMAIN OVER LOT 8 OF "SUPERVISOR'S PLAT NO. 13" (L.49, P.1) AND OVER PART OF LOT 9 THROUGH LOT 18 BOTH INCLUSIVE OF "SUPERVISOR'S PLAT NO. 11" (L.46, P.46), CITY OF TROY, OAKLAND COUNTY, MICHIGAN, THE CENTERLINE OF SAID WATERMAIN IS DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 23; THENCE ALONG THE SOUTH SECTION LINE S 88°54'28" E, 375.06 FEET; THENCE N 01°15'40" E, 102.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BIG BEAVER ROAD (204.00 FEET WIDE); THENCE ALONG SAID LINE S 88°54'28" E, 393.08 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N 01°05'32" E, 18.50 FEET; THENCE S 88°54'28" E, 8.97 FEET; THENCE N 88°54'28" W, 6.97 FEET; THENCE N 01°05'32" E, 20.00 FEET TO POINT OF BRANCHING "A"; THENCE N 88°54'28" W, 330.00 FEET; THENCE N 44°17'30" W, 18.11 FEET; THENCE S 46°05'32" W, 18.42 FEET; THENCE N 46°05'32" E, 18.42 FEET; THENCE N 43°24'00" W, 12.18 FEET; THENCE N 01°05'32" E, 34.50 FEET; THENCE S 88°54'28" E, 17.25 FEET; THENCE N 88°54'28" W, 17.25 FEET; THENCE N 01°05'32" E, 104.00 FEET; THENCE THENCE S 88°54'28" E, 17.25 FEET; THENCE N 88°54'28" W, 17.25 FEET; THENCE N 01°05'32" E, 77.05 FEET; THENCE S 89°26'27" W, 28.16 FEET; THENCE N 89°26'27" E, 28.16 FEET; THENCE N 01°05'32" E, 80.41 FEET; THENCE N 05°27'45" E, 88.52 FEET; THENCE S 87°47'37" E, 11.78 FEET; THENCE N 87°47'37" W, 11.78 FEET; THENCE N 05°27'45" E, 83.72 FEET; THENCE N 05°27'45" E, 14.38 FEET; THENCE S 05°27'45" W, 14.38 FEET; THENCE S 88°54'28" E, 244.98 FEET; THENCE S 43°54'28" E, 14.14 FEET; THENCE S 01°05'32" W, 53.00 FEET; THENCE N 88°54'28" W, 26.00 FEET; THENCE S 88°54'28" E, 26.00 FEET; THENCE S 01°05'32" W, 140.50 FEET; THENCE S 43°54'28" E, 32.53 FEET; THENCE S 88°54'28" E, 37.50 FEET; THENCE N 01°05'32" E, 26.75 FEET; THENCE S 01°05'32" W, 26.75 FEET; THENCE S 88°54'28" E, 8.00 FEET; THENCE S 43°54'28" E, 21.21 FEET; THENCE S 01°05'32" W, 47.11 FEET; THENCE N 88°44'55" W, 41.75 FEET; THENCE S 88°44'55" E, 41.75 FEET; THENCE S 01°05'32" W, 104.00 FEET; THENCE N 88°44'55" W, 41.75 FEET; THENCE S 88°44'55" E, 41.75 FEET; THENCE S 01°05'32" W, 54.38 FEET TO POINT OF BRANCHING "A" AND POINT OF ENDING OF THE CENTERLINE

PROFESSIONAL
ENGINEERING
ASSOCIATES

CLIENT:
GULF ROCHESTER COMMONS, L.L.C.
2038 WEST BIG BEAVER, SUITE 200
TROY, MICHIGAN 48063

SCALE: 1" = 100'

JOB No: 2002093

DATE: 11-30-03

DWG. No: 2 of 2

2430 Rochester Ct Suite 100
Troy, MI 48063-1872
(248) 689-9090

/2002093/EXHIBIT B DOCS/02093-WA-ESMT-1.DWG

PERMANENT EASEMENT

Sidwell #88-20-23-354-027, -028, -029, -030, -031, -041 & -042

Gulf Rochester Commons, L.L.C., a Michigan Limited Liability Company, Grantors, whose address is 32400 Telegraph Road, Suite 100, Bingham Farms, MI 48025 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace pedestrian access easement, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 31ST day of March, A.D. 2004

GULF ROCHESTER COMMONS, L.L.C.,
A MICHIGAN LIMITED LIABILITY COMPANY

By: SRJ Land Company, LLC, a Michigan
Limited Liability Company
Its: Member

By: SRJ Management, Inc., a Michigan
Corporation
Its: Manager Scott R. Jacobson (L.S.)

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 31st day of March, 2004, by Scott R. Jacobson, the President of SRJ Management, Inc., a Michigan Corporation, as the Manager of SRJ Land Company, LLC, a Michigan Limited Liability Company, as the Member of Gulf Rochester Commons, L.L.C., a Michigan Limited Liability Company on behalf of said company.

SUSAN RUSSELL
NOTARY PUBLIC DAYNE CO, MI
MY COMMISSION EXPIRES Apr 2, 2008
Acting in Oakland County,
Michigan

Susan Russell
Notary Public, _____ County, Michigan
My Commission Expires _____

Prepared by: Patricia A. Petitto
City of Troy
500 W. Big Beaver Road
Troy, MI 48064

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48064

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

LEGAL DESCRIPTION
PEDESTRIAN EASEMENT

A PEDESTRIAN EASEMENT OVER PART OF LOT 8 OF "SUPERVISOR'S PLAT NO. 13" A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 22 AND PART OF THE SOUTHWEST 1/4 OF SECTION 23, T.2N. R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, COMMENCING AT THE SOUTHWEST CORNER OF SECTION 23; THENCE ALONG THE SOUTH SECTION LINE S 88°54'28" E, 375.06 FEET; THENCE N 01°15'40" E, 208.31 FEET; THENCE S 88°05'00" E, 7.81 FEET; THENCE N 03°27'12" E, 169.54 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 03°27'12" E, 50.14 FEET; THENCE N 89°13'53" E, 9.41 FEET; THENCE N 01°05'32" E, 104.51 FEET; THENCE 49.18 FEET ALONG A CURVE TO THE RIGHT, RADIUS 50.00 FEET, CENTRAL ANGLE 56°21'37", CHORD BEARING N 29°16'21" E, 47.22 FEET; THENCE N 01°05'32" E, 26.55 FEET TO A POINT ON THE NORTH LINE OF LOT 8; THENCE ALONG SAID LINE S 88°14'00" E, 20.00 FEET; THENCE S 01°05'32" W, 38.95 FEET; THENCE 39.34 FEET ALONG A CURVE TO THE LEFT, RADIUS 30.00 FEET, CENTRAL ANGLE 75°07'51", CHORD BEARING S 38°39'27" W, 36.58 FEET; THENCE S 01°05'32" W, 153.89 FEET; THENCE S 89°13'53" W, 31.49 FEET TO THE POINT OF BEGINNING

CLIENT:
TADIAN DEVELOPMENTS
2038 WEST BIG BEAVER, SUITE 200
TROY, MICHIGAN 48063

SCALE: 1"= 40'

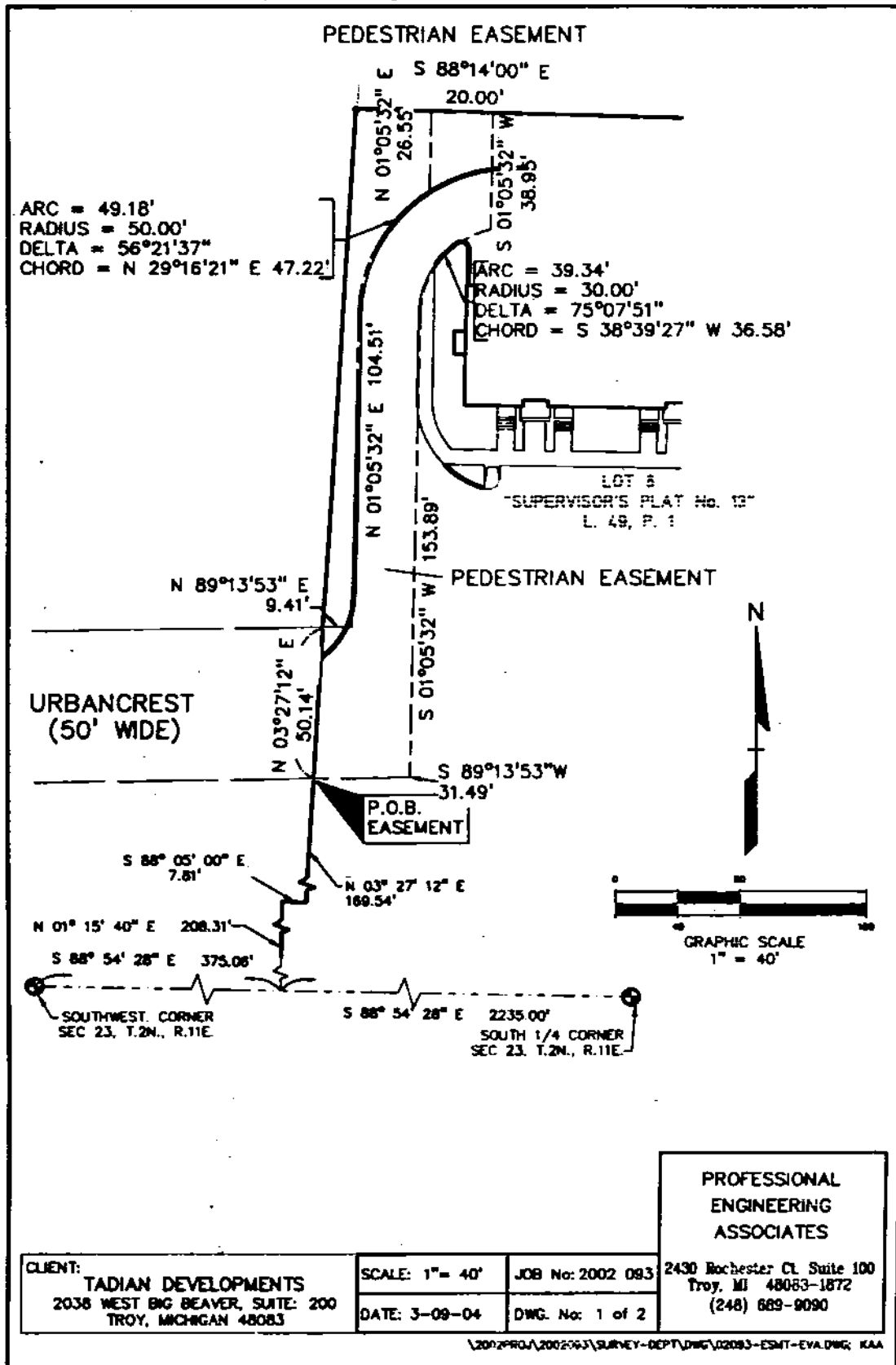
DATE: 3-08-04

JOB No: 2002 093

DWG. No: 2 of 2

PROFESSIONAL
ENGINEERING
ASSOCIATES

2430 Rochester Ct Suite 100
Troy, MI 48063-1872
(248) 689-9090



PERMANENT EASEMENT

Sidwell #88-20-23-354-027, -028, -029, -030, -031, -041 & -042

Gulf Rochester Commons, L.L.C., a Michigan Limited Liability Company, Grantors, whose address is 32400 Telegraph Road, Suite 100, Bingham Farms, MI 48025 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace public walk, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed _____ signature(s) this 15th day of MARCH A.D. 2004

GULF ROCHESTER COMMONS, L.L.C.,
A MICHIGAN LIMITED LIABILITY COMPANY

By: SRJ Land Company, LLC, a Michigan
Limited Liability Company
Its: Member

By: SRJ Management, Inc., a Michigan
Corporation
Its: Manager [Signature] (L.S.)
"Scott R. Jacobson, President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 15th day of March, 2004
by Scott R. Jacobson, the President of SRJ Management, Inc., a Michigan Corporation, as the Manager
of SRJ Land Company, LLC, a Michigan Limited Liability Company, as the Member of Gulf Rochester
Commons, L.L.C., a Michigan Limited Liability Company, on behalf of said company.

MELBA AUSTIN
Notary Public, Wayne County, Mich.
Acting in OAKLAND County, Mich.
My Commission Expires July 1, 2004

[Signature]
Notary Public, _____ County, Michigan

My Commission Expires _____

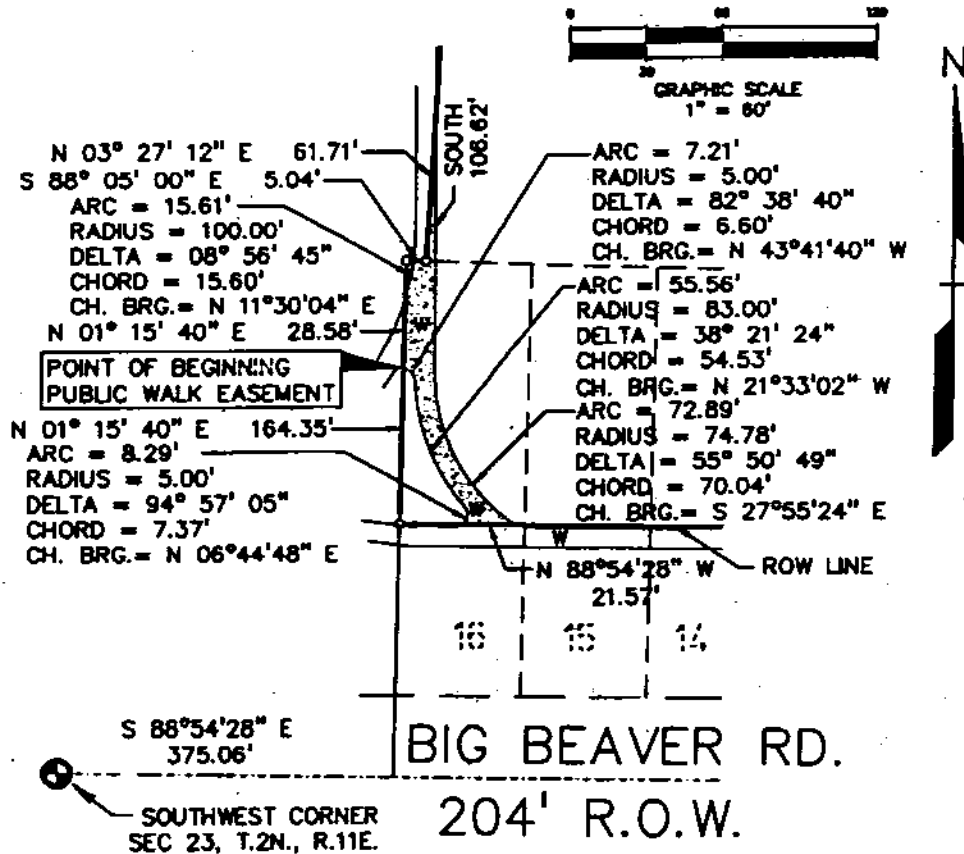
Prepared by: Patricia A. Petitto
City of Troy
500 W. Big Beaver Road
Troy, MI 48064

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48064

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT "A"

SKETCH OF PUBLIC WALK EASEMENT



A PUBLIC WALK EASEMENT OVER PART OF LOT 8 OF "SUPERVISOR'S PLAT NO. 13" (L49, P.1) AND OVER PART OF LOT 16 OF "SUPERVISOR'S PLAT NO. 11" (L48, P. 48), CITY OF TROY, OAKLAND COUNTY, MICHIGAN, COMMENCING AT THE SOUTHWEST CORNER OF SECTION 23; THENCE ALONG THE SOUTH SECTION LINE S 88°54'28" E, 375.06 FEET; THENCE N 01°15'40" E, 164.35 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 01°15'40" E, 28.58 FEET; THENCE 15.61 FEET ALONG A CURVE TO THE LEFT, RADIUS 100.00 FEET, CENTRAL ANGLE 08°56'45", CHORD BEARING N 11°30'04" E, 15.60 FEET; THENCE S 88°05'00" E, 5.04 FEET; THENCE N 03°27'12" E, 61.71 FEET; THENCE SOUTH, 106.62 FEET; THENCE 72.89 FEET ALONG A CURVE TO THE LEFT, RADIUS 74.78 FEET, CENTRAL ANGLE 55°50'49", CHORD BEARING S 27°55'24" E, 70.04 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BIG BEAVER (204' WIDE); THENCE ALONG SAID LINE N 88°54'28" W, 21.57 FEET; THENCE 8.29 FEET ALONG A CURVE TO THE LEFT, RADIUS 5.00 FEET, CENTRAL ANGLE 94°57'05", CHORD BEARING N 06°44'48" E, 7.37 FEET; THENCE 55.56 FEET ALONG A CURVE TO THE RIGHT, RADIUS 83.00 FEET, CENTRAL ANGLE 38°21'24", CHORD BEARING N 21°33'02" W, 54.53 FEET TO A POINT OF REVERSE CURVE; THENCE 7.21 FEET ALONG A CURVE TO THE LEFT, RADIUS 5.00 FEET, CENTRAL ANGLE 82°38'40", CHORD BEARING N 43°41'40" W, 6.60 FEET TO THE POINT OF BEGINNING.

PROFESSIONAL
ENGINEERING
ASSOCIATES

CLIENT:
GULF ROCHESTER COMMONS, L.L.C.
2038 WEST BIG BEAVER, SUITE 200
TROY, MICHIGAN 48063

SCALE: 1" = 60'
DATE: 11-30-03

JOB No: 2003093
DWG. No: 1

2430 Rochester Ct. Suite 100
Troy, MI 48063-1872
(248) 689-9090

PERMANENT EASEMENT

Sidwell #88-20-23-354-027, -028, -029, -030, -031, -041 & -042

Gulf Rochester Commons, L.L.C., a Michigan Limited Liability Company, Grantors, whose address is 32400 Telegraph Road, Suite 100, Bingham Farms, MI 48025 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace emergency vehicle access easement, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 31ST day of MARCH A.D. 2004

GULF ROCHESTER COMMONS, L.L.C.,
A MICHIGAN LIMITED LIABILITY COMPANY

By: SRJ Land Company, LLC, a Michigan
Limited Liability Company
Its: Member

By: SRJ Management, Inc., a Michigan
Corporation
Its: Manager [Signature] (L.S.)
*Scott R. Jacobson, President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 31st day of March, 2004
by Scott R. Jacobson, the President of SRJ Management, Inc., a Michigan Corporation, as the Manager
of SRJ Land Company, LLC, a Michigan Limited Liability Company, as the Member of Gulf Rochester
Commons, L.L.C., a Michigan Limited Liability Company, on behalf of said company.

[Signature]
Notary Public,
Acting in Oakland County, Michigan

Notary Public, _____ County, Michigan
My Commission Expires _____

Prepared by: Patricia A. Petitto
City of Troy
500 W. Big Beaver Road
Troy, MI 48064

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48064

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

LEGAL DESCRIPTION
EMERGENCY VEHICLE ACCESS EASEMENT

AN EMERGENCY VEHICLE ACCESS EASEMENT OVER PART OF LOT 8 OF "SUPERVISOR'S PLAT NO. 13" A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 22 AND PART OF THE SOUTHWEST 1/4 OF SECTION 23, T.2N, R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, COMMENCING AT THE SOUTHWEST CORNER OF SECTION 23; THENCE ALONG THE SOUTH SECTION LINE S 88°54'28" E, 375.06 FEET; THENCE N 01°15'40" E, 208.31 FEET; THENCE S 88°05'00" E, 7.81 FEET; THENCE N 03°27'12" E, 169.54 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 03°27'12" E, 50.14 FEET; THENCE N 89°13'53" E, 9.41 FEET; THENCE N 01°05'32" E, 104.51 FEET; THENCE 49.18 FEET ALONG A CURVE TO THE RIGHT, RADIUS 50.00 FEET, CENTRAL ANGLE 56°21'37", CHORD BEARING N 29°16'21" E, 47.22 FEET; THENCE N 01°05'32" E, 26.55 FEET TO A POINT ON THE NORTH LINE OF LOT 8; THENCE ALONG SAID LINE S 88°14'00" E, 20.00 FEET; THENCE S 01°05'32" W, 38.95 FEET; THENCE 39.34 FEET ALONG A CURVE TO THE LEFT, RADIUS 30.00 FEET, CENTRAL ANGLE 75°07'51", CHORD BEARING S 38°39'27" W, 36.58 FEET; THENCE S 01°05'32" W, 153.89 FEET; THENCE S 89°13'53" W, 31.49 FEET TO THE POINT OF BEGINNING

PROFESSIONAL
ENGINEERING
ASSOCIATES

CLIENT:
TADIAN DEVELOPMENTS
2038 WEST BIG BEAVER, SUITE 200
TROY, MICHIGAN 48063

SCALE: 1" = 40'

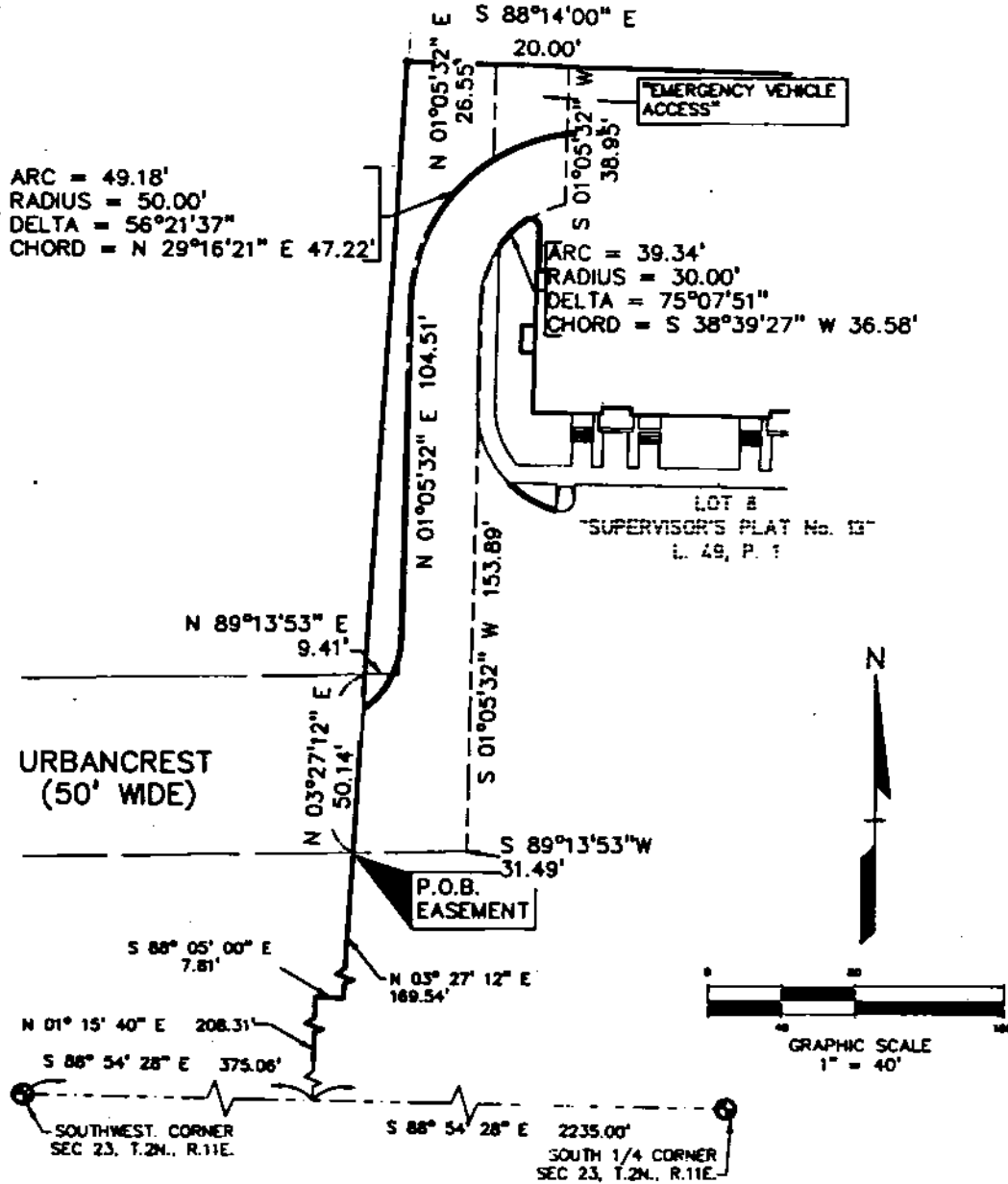
JOB No: 2002 093

DATE: 3-09-04

DWG. No: 2 of 2

2430 Rochester CL Suite 100
Troy, MI 48063-1872
(248) 688-9090

EMERGENCY VEHICLE ACCESS EASEMENT



CLIENT:
TADIAN DEVELOPMENTS
2038 WEST BIG BEAVER, SUITE 200
TROY, MICHIGAN 48063

SCALE: 1" = 40'

DATE: 3-09-04

JOB No: 2002 093

DWG. No: 1 of 2

PROFESSIONAL
ENGINEERING
ASSOCIATES

2430 Rochester Ct. Suite 100
Troy, MI 48063-1872
(248) 689-9050

April 6, 2004

To: John Szerlag, City Manager

From: Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Timothy L. Richnak, Public Works Director

Subject: **Agenda Item** – Standard Purchasing Resolution 1 – Award to Low Bidders – Aggregates

RECOMMENDATION

On March 24, 2004, sealed bid proposals were opened to furnish one-year requirements of Aggregates with an option to renew for one additional year. After reviewing these proposals, City management recommends awarding the contract to the low bidders, Troy Aggregate Carriers Inc., Lapeer Sand & Gravel and Tri-City Aggregate for an estimated total cost of \$80,190.00, at unit prices contained in the attached bid tabulation. Aggregates are purchased on an as needed basis throughout the year based upon estimated quantities.

SUMMARY

Item	Est. Qty (Ton)	Description	Price Per Ton	Estimated Total
<u>Troy Aggregate Carriers Inc.</u>				
1.	1500	6A Slag	\$11.35	\$17,025.00
3.	1000	Pea Gravel	\$10.95	\$10,950.00
6.	100	Crushed Concrete 1"-3"	\$ 8.10	\$ 810.00
7.	100	Crushed Concrete 3"-6"	\$ 9.10	\$ 910.00
8.	300	Chloride Sand	\$15.55	\$ 4,665.00
9.	250	2NS Sand	\$ 7.40	\$ 1,850.00
10.	500	Mason Sand	\$ 8.15	\$ 4,075.00
		<u>Estimated Cost</u>		<u>\$40,285.00</u>
<u>Lapeer Sand & Gravel</u>				
4.	250	60/40 Gravel	\$10.90	\$ 2,725.00
		<u>Estimated Cost</u>		<u>\$ 2,725.00</u>
<u>Tri-City Aggregate</u>				
2.	4000	22A Gravel	\$ 7.03	\$28,120.00
5.	2000	Fill Sand	\$ 4.53	\$ 9,060.00
		<u>Estimated Cost</u>		<u>\$37,180.00</u>
Estimated Total Cost				\$80,190.00

April 6, 2004

To: John Szerlag, City Manager
Re: Bid Award – Aggregates

BUDGET

Funds for these materials are available through the Public Works operating budgets for Streets and Water, as monies clear through the balance sheet Inventory Accounts for Aggregates.

37 Vendors Notified on MITN System

1 Vendor Walk-In

12 Bid Responses Rec'd

1 No Bid: (1) Company does not handle the type of product specified, nor can they be competitive.

Opening Date -- 3/24/04
Date Prepared -- 4/1/04

CITY OF TROY
BID TABULATION
AGGREGATES

ITB-COT 04-13
Pg 1 of 4

VENDOR NAME:

			TROY	TROY	LAPEER	TR-CITY
			AGGREGATE	AGGREGATE	SAND &	AGGREGATES
			CARRIERS INC		GRAVEL	INC
				W/TERMS		
ITEM	EST QTY/TONS	DESCRIPTION	PRICE/ TON	PRICE/ TON	PRICE/ TON	PRICE/ TON
1.	1500	6A SLAG	\$ 11.35	\$ 11.24	\$ -	
2.	4000	22A GRAVEL	\$ 7.40	\$ 7.33	\$ 9.90	\$ 7.03
3.	1000	PEA GRAVEL	\$ 10.95	\$ 10.84	\$ 11.20	
4.	250	60/40 GRAVEL	\$ 11.50	\$ 11.39	\$ 10.90	
5.	2000	FILL SAND	\$ 4.60	\$ 4.55	\$ 6.25	\$ 4.53
6.	100	CRUSHED CONCRETE, 1" - 3"	\$ 8.10	\$ 8.02	\$ -	
7.	100	CRUSHED CONCRETE, 3" - 6"	\$ 9.10	\$ 9.01	\$ -	
8.	300	CHLORIDE SAND	\$ 15.55	\$ 15.39	\$ -	
9.	250	2NS SAND	\$ 7.40	\$ 7.33	\$ 8.85	
10.	500	MASON SAND	\$ 8.15	\$ 8.07	\$ 9.50	
DISCOUNT IF AWARDED ALL ITEMS				1%	BLANK	
ESTIMATED GRAND TOTAL ALL ITEMS:			\$ 81,960.00	\$ 81,140.40	N/A	N/A
ESTIMATED TOTAL AWARDED ITEMS:			\$ 40,285.00		\$ 2,725.00	\$ 37,180.00
MINIMUM ORDER REQUIREMENTS			50Tons / 40Yds		50 Tons	50 Tons
Within Hours			24		48	48
CONTACT INFO:			6-5pm		7-6pm	BLANK
Hrs of Operation:			(810) 614-6473		(586) 754-4574	BLANK
Emergency Phone #:						
INSURANCE			XX		XX	XX
CAN MEET						
CANNOT MEET						
TERMS:			BLANK		N/30	NET 30 DAYS
EXCEPTIONS:			NONE		BLANK	BLANK
ACKNOWLEDGEMENT:Completed Y or N			YES		YES	YES

NO BIDS:

Hart Pavement Striping Corp

BOLDFACE TYPE DENOTES LOW BIDDERS

ATTEST:

Emily Frontera

Tom Rosewarne

MaryAnn Hays

Jeanette Bennett

PROPOSAL - One Year Requirements of Aggregates with an Option to Renew for One Additional Year

Jeanette Bennett
Purchasing Director

Opening Date -- 3/24/04
Date Prepared -- 4/1/04

CITY OF TROY
BID TABULATION
AGGREGATES

ITB-COT 04-13
Pg 2 of 4

VENDOR NAME:

VENDOR NAME:			OSBURN	UNITED	JACKIES	RICHMOND
			INDUSTRIES	SOILS INC	TRANSPORT	TRANSPORT
			INC		INC	
ITEM	EST QTY/TONS	DESCRIPTION	PRICE/ TON	PRICE/ TON	PRICE/ TON	PRICE/ TON
1.	1500	6A SLAG	\$ 11.68	N/A	\$ 12.45	\$ 11.45
2.	4000	22A GRAVEL	\$ 9.05	\$ 7.44	\$ 8.10	\$ 8.25
3.	1000	PEA GRAVEL	\$ 11.10	\$ 11.29	\$ 11.85	\$ 11.05
4.	250	60/40 GRAVEL	\$ 12.95	\$ 10.92	\$ 12.25	\$ 12.75
5.	2000	FILL SAND	\$ 6.65	\$ 5.75	\$ 5.15	\$ 4.94
6.	100	CRUSHED CONCRETE, 1" - 3"	\$ 9.39	\$ 10.66	\$ 10.45	\$ 9.65
7.	100	CRUSHED CONCRETE, 3" - 6"	\$ 12.35	\$ 15.99	NO BID	NO BID
8.	300	CHLORIDE SAND	\$ 21.00	\$ 19.99	NO BID	NO BID
9.	250	2NS SAND	\$ 8.55	\$ 9.80	\$ 8.30	\$ 8.35
10.	500	MASON SAND	\$ 10.09	\$ 11.30	\$ 9.20	\$ 9.75
DISCOUNT IF AWARDED ALL ITEMS			0%	N/A	0%	BLANK
ESTIMATED GRAND TOTAL ALL ITEMS:			\$ 97,014.00	N/A	N/A	N/A
ESTIMATED TOTAL AWARDED ITEMS:			\$ -	\$ -	\$ -	\$ -
MINIMUM ORDER REQUIREMENTS Within Hours			50 Tons	30 Tons	50 Tons	50 Tons
			48	24	24	24
CONTACT INFO: Hrs of Operation: Emergency Phone #:			6-5pm	8:30-5pm	6-6pm	6-6pm
			(313) 363-0080	BLANK	(248) 941-2946	(586) 727-1627
INSURANCE CAN MEET CANNOT MEET			XX	XX	XX	XX
TERMS:			NET 30 DAYS	NET 30 DAYS	30 DAYS	NET 10TH
EXCEPTIONS:			3X6 CRUSHED CONCRETE	BLANK	BLANK	BLANK
			WOULD LIKE TO SUB W/			
			4X8 LIMESTONE			
			CHLORIDE SAND TO BE			
			MIXED AT 8.7 GAL AT			
			26% CAL CHLORIDE VS. 36% REQUESTED.			
ACKNOWLEDGEMENT:Completed Y or N			YES	YES	YES	YES

Opening Date -- 3/24/04
Date Prepared -- 4/1/04

CITY OF TROY
BID TABULATION
AGGREGATES

ITB-COT 04-13
Pg 3 of 4

VENDOR NAME:

AUBURN	EDW C LEVY	J&H	SYLVESTER
SUPPLY	COMPANY	TRANSPORTATION	MATERIAL
CO INC		INC	COMPANY

ITEM	EST QTY/TONS	DESCRIPTION	PRICE/ TON	PRICE/ TON	PRICE/ TON	PRICE/ TON
1.	1500	6A SLAG	\$ 12.55	\$ 11.58	\$ -	NO BID
2.	4000	22A GRAVEL	\$ 8.10	\$ 9.39	\$ 10.15	NO BID
3.	1000	PEA GRAVEL	\$ 12.55	\$ 12.45	\$ 12.85	\$ 11.05
4.	250	60/40 GRAVEL	\$ 12.55	\$ 13.00	\$ -	\$ 10.92
5.	2000	FILL SAND	\$ 6.25	\$ 6.30	\$ 6.50	NO BID
6.	100	CRUSHED CONCRETE, 1" - 3"	\$ 12.50	NO BID	\$ 10.00	NO BID
7.	100	CRUSHED CONCRETE, 3" - 6"	N/A	NO BID	\$ 12.00	NO BID
8.	300	CHLORIDE SAND	N/A	NO BID	\$ -	NO BID
9.	250	2NS SAND	\$ 8.90	\$ 8.65	\$ 8.50	NO BID
10.	500	MASON SAND	\$ 10.05	\$ 10.89	\$ 13.00	NO BID
DISCOUNT IF AWARDED ALL ITEMS			BLANK	0%	BLANK	N/A

ESTIMATED GRAND TOTAL ALL ITEMS:

N/A	N/A	N/A	N/A
-----	-----	-----	-----

ESTIMATED TOTAL AWARDED ITEMS:

\$ -	\$ -	\$ -	\$ -
------	------	------	------

MINIMUM ORDER REQUIREMENTS
Within Hours

33 Tons	50 Tons	25 Tons	50 Tons
24	24	12	24

CONTACT INFO: Hrs of Operation:
Emergency Phone #:

6-6pm	7-5pm	6-6pm	6-5pm
BLANK	N/A	(810) 533-4090	392-2568

INSURANCE CAN MEET
CANNOT MEET

XX	XX	XX	XX

TERMS:

NET 30	NET 30 DAYS	30 DAYS NET	NET 30 DAYS
--------	-------------	-------------	-------------

EXCEPTIONS:

BLANK	MORTAR SAND SUB MASON SAND	BLANK	BLANK
-------	-------------------------------	-------	-------

ACKNOWLEDGEMENT:Completed Y or N

YES	YES	YES	YES
-----	-----	-----	-----

Opening Date -- 3/24/04
Date Prepared -- 4/1/04

CITY OF TROY
BID TABULATION
AGGREGATES

ITB-COT 04-13
Pg 4 of 4

VENDOR NAME:

ELLSWORTH	ELLSWORTH		
INDUSTRIES			
	W/TERMS		

ITEM	EST QTY/TONS	DESCRIPTION	PRICE/ TON	PRICE/ TON		
1.	1500	6A SLAG	\$ 12.37	\$ 12.00		
2.	4000	22A GRAVEL	\$ 9.36	\$ 9.08		
3.	1000	PEA GRAVEL	\$ 12.97	\$ 12.58		
4.	250	60/40 GRAVEL	\$ 12.91	\$ 12.52		
5.	2000	FILL SAND	\$ 6.47	\$ 6.28		
6.	100	CRUSHED CONCRETE, 1" - 3"	\$ 9.50	\$ 9.22		
7.	100	CRUSHED CONCRETE, 3" - 6"	\$ 10.75	\$ 10.43		
8.	300	CHLORIDE SAND	\$ 21.80	\$ 21.15		
9.	250	2NS SAND	\$ 9.60	\$ 9.31		
10.	500	MASON SAND	\$ 10.14	\$ 9.84		
		DISCOUNT IF AWARDED ALL ITEMS		3%		

ESTIMATED GRAND TOTAL ALL ITEMS:

\$ 101,167.50	\$ 98,132.48		
---------------	--------------	--	--

ESTIMATED TOTAL AWARDED ITEMS:

\$ -	\$ -		
------	------	--	--

MINIMUM ORDER REQUIREMENTS
Within Hours

50 Tons
48

CONTACT INFO: Hrs of Operation:
Emergency Phone #:

24 Hours
(313) 218-4790

INSURANCE CAN MEET
CANNOT MEET

XX

TERMS:

NET 30

EXCEPTIONS:

BLANK

ACKNOWLEDGEMENT:Completed Y or N

YES



Downloading History for ITB-COT 04-13 Aggregates

The report below shows all fax and e-mail vendors that matched this document when it was originally issued. It also shows all vendors that have downloaded or ordered the document and any subsequent amendments as of 4/6/2004.

Document Title:	One Year Requirements of Aggregates
Date Issued:	3/2/2004
Close Date:	3/24/2004

Click on the table headings for "Account Number" or "Company name" to re-sort this report by that column. You may also click on any vendor account number to view their account information.


Acct #	Company Name	Service	Date Obtained Document	Date Obtained Amendments
15881	A&B TRUCKING INC.	Free	3/4/2004	
12763	ACME Contracting, Ltd.	Free	3/4/2004	
10325	Aielli Construction Company, Inc.	Free	3/18/2004	
12964	Ajax Materials Corporation	E-mail		
16441	AUBURN SUPPLY COMPANY INC.	Free	3/12/2004	
15315	BEDROCK EXPRESS LTD.	Fax		
16185	DCSI	Free	3/19/2004	
12164	Edw. C. Levy Co.	E-mail	3/12/2004	
11185	Ellsworth Industries	Free	3/2/2004	
15664	Enviro-Vac Services, Inc.	Free	3/4/2004	
16547	Gaglio Bros. Corporation	E-mail	3/19/2004	
16495	Glencopr Inc.	Free	3/19/2004	
11517	Hart Pavement Striping Corporation	E-mail	3/19/2004	
15913	HAYES EXCAVATING CO INC.	Fax	3/22/2004	
16078	Image Computer Corporation	Free	3/9/2004	
14439	J & H Transportation, Inc.	Free	3/18/2004	
16100	JACKIES TRANSPORT INC.	E-mail	3/5/2004	
16568	Lapeer Sand and Gravel	Free	3/22/2004	
12351	North American Excavating & Trucking Co, Inc.	E-mail	3/5/2004	
10643	Osburn Industries, Inc.	E-mail	3/2/2004	
11361				

	Quickie Carpet Cleaning	Free	3/3/2004	
13691	R & E Trucking Inc.	Fax		
16297	Richard Sisson Trucking, Inc.	Fax	3/4/2004	
10841	Richmond Transport Inc.	Fax	3/8/2004	
16370	SAFEGUARD TRANSPORT	E-mail	3/15/2004	
12336	SAVALLES TRUCKING INC.	Fax	4/2/2004	
13730	SMART Management Group, LLC	E-mail		
10113	Sullivan Corporation	Free	3/5/2004	
10590	The Gravel Doctor	Free	3/8/2004	
12535	The Stansley Group	E-mail	3/17/2004	
16303	Tri-City Aggregates Inc	Fax	3/4/2004	
13671	Troy Aggregate Carriers	Fax	3/22/2004	
14676	Unique Paving Materials	E-mail		
11267	United Soils, Inc.	E-mail	3/15/2004	
15073	W.T. Stevens Construction, Inc.	Free	3/18/2004	
14368	Washington Elevator Company, Inc.	Free	3/3/2004	
11031	Wiegand Mack Sales and Service	Fax	3/3/2004	

[Return to Main Menu](#)
[Return to Report Menu](#)

April 6, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Steven Vandette, City Engineer 

SUBJECT: Agenda Item - Private Agreement
Freund Site Condominiums
Project No. 02.924.3

The Engineering Department has reviewed and approved plans for this project, which includes water main, storm sewer, detention, sanitary sewer, sidewalks, landscaping, soil erosion and paving.

The Owner has provided a Letter of Credit for escrow and cash fees & deposits in the amount of the estimated cost of public improvements, as required.

Approval is recommended.

G:\Projects\Projects - 2002\02.924.3 - Freund Site Condominiums\Private Agreement Cover Letter.doc

CC: Tonni Bartholomew, City Clerk (Original Agreement)
James Nash, Financial Services Director
Carol Anderson, Director of Parks and Recreation
Mark Miller, Planning Director
Nino Licari, City Assessor
Timothy Richnak, Director of Public Works
William Jawlik, Inspector Supervisor.
Freund Four LLC

Prepared by: G. Scott Finlay, PE
Civil Engineer

Enclosed: Private Agreement, Detailed Summary, Sketch, and Suggested Resolution

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS
(PRIVATE AGREEMENT)**

PROJECT NO. 02.924.3

PROJECT LOCATION:

NW ¼ Section 7

RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

KNOW ALL MEN BY THESE PRESENT; That the City of Troy, a Michigan Municipal Corporation of the County of Oakland, State of Michigan, hereinafter referred to as "City" and Ken Freund whose address is 53481 West Ten Mile Rd., South Lyon, MI 48178 and whose telephone number is 248-486-6367 hereinafter referred to as "Owners".

WITNESSETH, FIRST: That the City agrees to allow the installation of water main, storm sewer, detention, sanitary sewer, sidewalks, soil erosion, landscaping and paving in accordance with plans prepared by Seiber, Keast & Associates, Inc. whose address is 40399 Grand River, Suite 110, Novi, MI 48375 and whose telephone number is 248-473-7880, and approved prior to construction by the City specifications of the City shall be complied with for this construction.

SECOND: That the Owners agree to contribute the approximate contract price of \$188,822.00. This amount will be transmitted to the City Clerk for installation of said improvements in the form of (check one):

Cash	<input type="checkbox"/>
Certificate of Deposit	<input type="checkbox"/>
Irrevocable Bank Letter of Credit	<input checked="" type="checkbox"/>
Check	<input type="checkbox"/>
Performance Bond	<input type="checkbox"/>

Said funds shall be placed on deposit with the City upon the execution of this contract and shall be disbursed to the owner by the City only upon presentation of duly executed waivers of lien and sworn statements satisfactory to the City, and after final inspection and approval by the Engineering Department for the City. . In addition, the owners agree to contribute \$64,015.00 cash fee per the attached **Detailed Summary of Required Escrow Deposits and Cash Fees.**

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS
(PRIVATE AGREEMENT)**

PROJECT NO. 02.924.3

PROJECT LOCATION:

NW ¼ Section 7

RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this 18th day of March, 2004.

OWNERS Freund Four LLC

CITY OF TROY

By: [Signature]

By:

Kenneth J. Freund

Please Print or Type

Matt Pryor, Mayor

Please Print or Type

Tonni Bartholomew, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 18th day of MARCH, A.D. 2004, before me personally appeared Kenneth J. Freund known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.

[Signature]
Robert C. Horvath

NOTARY PUBLIC, Oakland County, Michigan

My commission expires: AUGUST 28, 2008

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS
(PRIVATE AGREEMENT)**

PROJECT NO. 02.924.3

PROJECT LOCATION:

NW ¼ Section 7

RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

THIRD: The owners may contract for construction of said improvement or may have the City advertise for bids. In the even the Owners select their own contractor, such contractor shall be subject to prior written approval by the City and completed contract documents shall be submitted to the City.

Owners agree to arrange for a pre-construction meeting with the City Engineer and the contractor prior to start of work. All municipal improvements must be completely staked in the field under the direct supervision of a registered civil engineer or registered land surveyor, according to the approved plans.

FOURTH: Owners hereby acknowledge the benefit to their property conferred by the construction of the aforementioned and agree and consent to pay the total sum of \$ 252,837.00 for the construction of said public utilities in lieu of the establishments of any special district by the City. Further, owners acknowledge that the benefit to their property conferred by the improvement is equal to, or in excess of, the aforementioned amount.

FIFTH: Owners agree that if, for any reason, the total cost of completion of such improvement shall exceed the sum deposited with the City in accordance with Paragraph SECOND hereof, that Owners will immediately remit such additional amount to the City upon request and City will disburse such additional amount in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sum deposited with City in accordance with Paragraph SECOND hereof, City will reimburse to the Owners the excess funds remaining after disbursement of funds.

SIXTH: Owners agree to indemnify and save harmless City, their agents and employees, from and against all loss or expense (including costs and attorneys' fees) by reason of liability imposed by law upon the City, its agents and employees for damages because of bodily injury, including death, at any time resulting therefrom sustained by any person or persons or on account of damage to property, including work, provided such injury to persons or damage to property is due or claimed to be due to negligence of the Owner, his contractor, or subcontractors, employees or agents, Owner further agrees to obtain and convey to the City all necessary easements for such public utilities as required by the City Engineer.

Detailed Summary of Required Escrow Deposits, Cash Fees & Deposits
Freund Site Condominiums - Project No. 02.924.3
6 Units - Section 7

ESCROW DEPOSITS:

Sanitary Sewers	\$42,610
Water Mains	\$18,970
Storm Sewers	\$33,967
Rear Yard Drains	\$14,142
Pavement - ASPHALT or CONCRETE	\$23,631
Grading	\$5,200
Detention Basin	\$10,000
Soil Erosion Control Measures	\$471
Monuments and Lot Corner Irons	\$395
Temporary Access Road	\$1,500
Deceleration and/or Passing Lane - MAJOR ROAD	\$20,694
Sidewalks - ON SITE	\$2,952
Sidewalks - OFF SITE	\$1,290
Street Light	\$7,000
Deposit for the Repair of Damage to Existing Public Streets Used for Access	\$6,000

TOTAL ESCROW DEPOSITS (REFUNDABLE): \$188,822

CASH FEES (NON-REFUNDABLE):

Water Main Testing and Chlorination	\$650
Street Name and Traffic Signs	\$382
Maintenance of Detention Basin	\$17,000
Soil Erosion and Sedimentation Control Permits	\$472
Testing Services	\$2,832
Engineering Review and Inspection	\$14,369

TOTAL CASH FEES (NON-REFUNDABLE): \$35,705

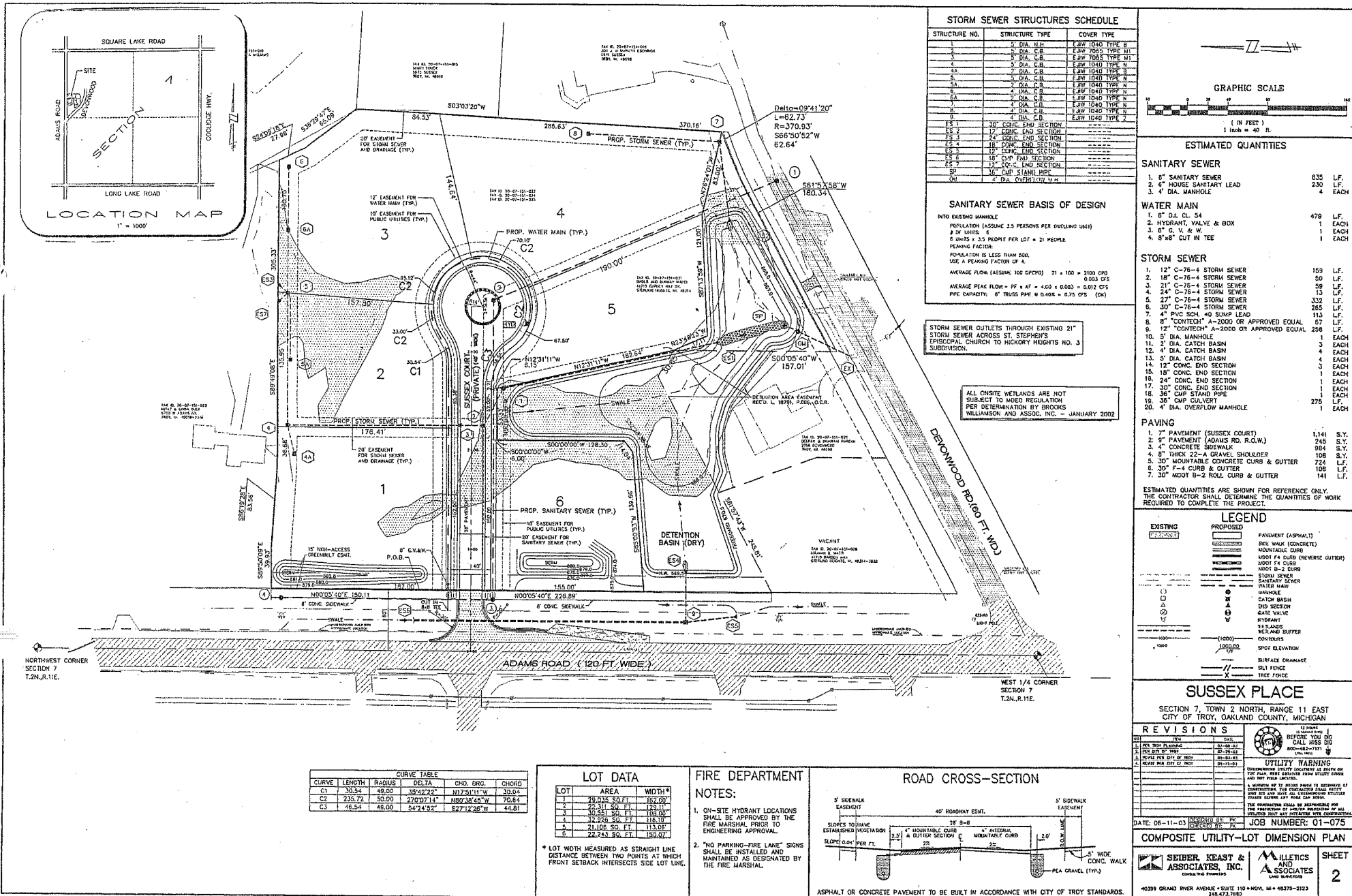
CASH DEPOSITS (REFUNDABLE):

Sidewalk Closures	\$324
Deposit for Maintenance & Cleaning of Ex. Public Streets Used for Access	\$2,000
Landscape Deposit	\$19,234
Punchlist & Restoration Deposit	\$6,753

TOTAL CASH DEPOSITS (REFUNDABLE): \$28,310

Stormwater detention for this development will be provided by:
a new detention basin on site

Engineer: Seiber, Keast & Assoc., Inc.
Developer: Ken Freund



April 6, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Timothy L. Richnak, Public Works Director

SUBJECT: **Agenda Item** – Standard Purchasing Resolution 3: Option To Renew – Automobile, Light Truck, Farm, and Construction Equipment Replacement Parts

RECOMMENDATION

On November 5, 2001, Troy City Council approved three-year contracts to purchase automobile, light truck, farm, and construction equipment replacement parts with an option to renew for an additional three-year period to the lowest acceptable bidders meeting specifications, D&D Auto Parts Inc., Kirk's Automotive, Crown Battery Manufacturing, Lubrication Specialists, Coach and Motor Company, Munn Tractor Sales Inc., All Type Truck & Trailer, Terminal Supply Company, Lecal Equipment Inc., Old Dominion Brush, and Bell Equipment Company (Council Resolution #2001-11-519-E8).

The Fleet Maintenance Division of the Public Works Department recommends exercising the three-year renewal option on the contracts for automobile, light truck, farm, and construction equipment replacement parts under the same price discount structure, terms, and conditions as the original contract for the additional three-year period.

SUMMARY

D&D AUTO PARTS	
Brakes	Jobber price list 15% discount
Seals	Jobber
KIRK'S AUTOMOTIVE	
Brake Rotors	Vendor computerized price sheet - 10%
CROWN BATTERY	
Batteries	Manufacturer's Price
LUBRICATION SPECIALISTS	
Synthetic Oil	Manufacturer's Price 0-10% off
COACH AND MOTOR	
Chevy/GM Parts	Vendor computerized price X 1.17%
GMC Medium Duty Parts	Vendor computerized price X 1.17%
MUNN TRACTOR	
Ford Tractor Parts	Vendor computerized price –10%
ALL TYPE TRUCK & TRAILER	
Trailer Parts	Manufacturer's Price –10%
Springs	Manufacturer's Price –10% to 65%
LACAL EQUIPMENT	
Tymco Parts	Vendor computerized price –25%
OLD DOMINION BRUSH	
Tymco Parts	Vendor computerized price –20% - Secondary Vendor
Vac-All Parts	Vendor computerized price –20%
BELL EQUIPMENT	
Vac-All Parts	Vendor computerized price sheet – Secondary Vendor
TERMINAL SUPPLY	
Wire Terminals	Vendor computerized price – Net

April 6, 2004

To: John Szerlag, City Manager

Re: Exercise Renewal Option – Auto Parts Contract

MARKET SURVEY

The Purchasing Department has conducted a market survey and concurs with the recommendation to exercise the option to renew, as costs for raw materials to manufacture auto parts and batteries are expected to increase substantially over the next three years.

BUDGET

Funds are available in the Fleet Maintenance Operating Budget for Equipment and Maintenance Repair Parts, Account #550.7781 and #550.7783.

E-5 Approval of Cost Participation Agreement for the Reconstruction of Livernois Road, Wattles to Braemer – Contract 01-5; Project No. 95.201.5

Resolution #2001-11-519-E-5

RESOLVED, That the Cost Participation Agreement between the City of Troy and the Road Commission for Oakland County for the reconstruction of Livernois Road, Wattles to Braemer, Project No. 95.201.5, is hereby approved and the Mayor and City Clerk are authorized to execute the Agreement.

E-6 Standard Purchasing Resolution 2: Lowest Acceptable Bidder Meeting Specifications – Electric Golf Cars for Sylvan Glen Golf Course

Resolution #2001-11-519-E-6

RESOLVED, That a contract to furnish a five-year lease of sixty-five (65) Electric Golf Cars including maintenance less fifty (50) trade-ins is hereby awarded to the lowest acceptable bidder meeting specifications, Club Car, Inc., at an estimated total lease cost of \$154,544.00.

E-8 Standard Purchasing Resolution 2: Lowest Acceptable Bidders – Automobile, Light Truck, Farm, and Construction Equipment Replacement Parts with an Option to Renew for an Additional Three Years

Resolution #2001-11-519-E-8

RESOLVED, That contracts to provide three-year requirements of Automobile, Light Truck, Farm, and Construction Equipment Replacement Parts with an Option to Renew for three years are awarded to the lowest acceptable bidders meeting specifications, Bell Equipment Company, Coach & Motor Company, D&D Auto Parts, Kirks Automotive, Lecal Equipment Company, Inc., Munn Ford Tractor, Old Dominion Brush, Terminal Supply Company, Crown Battery Manufacturing Company, Inc., All Type Truck & Trailer Repair, Inc., and Lubrication Specialists at discount prices contained in the bid tabulation opened April 24, 2001, a copy of which shall be attached to the original Minutes of this meeting.

E-9 Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Agreement – Haworth Furniture Contract

Resolution #2001-11-519-E-9

RESOLVED, That a contract to purchase new furniture for the DPW Facility Addition from University Business Interiors is hereby approved through the Oakland County Cooperative Purchasing Agreement at an estimated cost of \$14,042.00, in accordance with Appendix B, Detailed Cost Estimates.

March 31, 2004

TO: Jeanette Bennett
Purchasing Director

FROM: Linda N. Bockstanz
Associate Buyer

JB

RE: MARKET SURVEY – Auto Parts

COACH & MOTOR COMPANY – Michael Farmer - KEN (800) 556-4440
Ken has indicated that batteries will increase because the lead costs have increased in price. (Lead has gone up about 5% in cost.) Brakes and brake rotors will either increase or decrease about 3% depending on what manufacturer is producing the item for that year. Every manufacturer is different.

KIRKS AUTOMOTIVE – Robert E. Kirkman – AL (313) 933-7030
According to Al prices might go up on batteries, because of lead costs increasing about 3 to 5%. As to brakes, seals, wire terminals, tractor and trailer parts, there will be an increase in about 12 months. Prices will go up about 5 to 10% because manufacturer costs have increased. Truck drums have already increased 20% within the last 6 months. Big manufacturers just to keep their business going are buying up small manufacturers.

START ALL ENT INC.- Robert Dumas (313) 532-3462
Robert believes as of April 1, 2004, batteries will increase about 3 to 10% depending on the manufacturer. Lead has increased about 3 to 20%. Lead was .19 cents per pound, now it's .48 cents per pound. Robert thinks batteries will increase 7% by the end of the year 2004.

D & D AUTO PARTS – Dan Plontus (248) 589-0199
Dan told me that brake rotors would increase about 2 to 4% within the next 6 months, because of the manufacturers raising their costs.

BATTERY WAREHOUSE – Ray (586) 754-1770
Ray has indicated to me that lead has increased 5 to 10% in cost and that batteries will have to increase their costs, which will be passed onto the consumer. (Batteries are made 60% of lead.)

MOTION INDUSTRIES – Bryan Laubach (248) 680-4777
Bryan commented that seals for industrial and commercial use would increase as of April 1, 2004 about 2%, because of manufacturers raising their costs.

TERMINAL SUPPLY COMPANY – Joe DeBrincat (248) 362-0790
Per Joe – trailer parts – all types will be staying the same price for at least one more year. Parts may go up about 2% next year, but that will depend on manufacturers costs.

INTERSATE BATTERIES – Chris Miltimore

(248) 589-9084 Ext 15

According to Chris, lead for batteries has gone up in cost, but since their Company buys batteries in bulk from a manufacturer, their cost will be the same this year.

(They buy 100 batteries and return 100 batteries per month.) Also because of their recycling program – it helps to keep their costs down on batteries. The 12-volt batteries for cars will no longer be in stock in about 5 to 7 years. The car manufacturers are going to a 36 / 42-volt battery due to more electronic items being put into cars.

Based upon the above comments, I respectfully recommend that the City accept the offers to renew the various contracts for Auto Parts to the current vendors based on the fact costs for auto parts and batteries will increase in price over the next couple years.

CC: Susan Leirstien



500 West Big Beaver
Troy, Michigan 48084
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Operations
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Technology
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

March 8, 2004

D & D Auto Parts
4314 Rochester Road
Royal Oak MI 48073

To Whom It May Concern:

On May 31, 2001 the City of Troy entered into contract #20100499-OB with D & D Auto Parts to provide three year requirements of brakes and seals. This contract contained an option to renew for three additional years at the same prices, terms, and conditions as the original contract.

Please FAX this letter back indicating if D & D Auto Parts wishes to renew this contract until 05-31-07. Our FAX number is (248) 680-7281. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Manager and City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 680-7288.

CHECK ONE:

D & D Auto Parts is interested in renewing the contract under the same prices, terms, and conditions:


☒

D & D Auto Parts is not interested in renewing the contract:

☐

X 
Signed: Authorized Company Representative

Date: 3-12-04

Thank you

Samuel P. Lamerato
Superintendent
Fleet Maintenance Division



500 West Big Beaver
Troy, Michigan 48064
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Operations
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Technology
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

March 8, 2004

ATTN: Al Benish
Kirk's Automotive Inc
9330 Roselawn
Detroit MI 48204

Dear Al:

On May 31, 2001 the City of Troy entered into contract #20100502-OB with Kirk's Automotive to provide three year requirements of brake rotors. This contract contained an option to renew for three additional years at the same prices, terms, and conditions as the original contract.

Please FAX this letter back indicating if Kirk's Automotive wishes to renew this contract until 05-31-07. Our FAX number is (248) 680-7281. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Manager and City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 680-7288.

CHECK ONE:

Kirk's Automotive is interested in renewing the contract under the same prices, terms, and conditions:

☒


Kirk's Automotive is not interested in renewing the contract:

☐

X 
Signed: Authorized Company Representative

Date: 3-12-04

Thank you,


Samuel P. Lamerato
Superintendent
Fleet Maintenance Division



500 West Big Beaver
Troy, Michigan 48084
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Operations
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Technology
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

March 22, 2004

Crown Battery
2835 Eight Mile Road
Warren MI 48091
Attn Bill Rothwell

Dear Bill:

On May 31, 2001 the City of Troy entered into contract #20100503-OB with Crown Battery Manufacturing Company to provide three year requirements of batteries. This contract contained an option to renew for three additional years at the same price structure, terms, and conditions as the original contract.

Please FAX this letter back indicating if Crown Battery wishes to renew this contract until 05-31-07. Our FAX number is (248) 680-7281. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Manager and City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 680-7288.

CHECK ONE:

CROWN BATTERY MANUFACTURING CO is interested in renewing the contract under the same prices, terms, and conditions: BATTERY SPECIALIST PRICE SHEET (✓)
DATED: OCTOBER 3, 2003 (100381)

CROWN BATTERY MANUFACTURING CO is not interested in renewing the contract: ()

X

[Signature]
Signed: Authorized Company Representative

Date: 3/25/04

Thank you,

[Signature]
Samuel P. Lamerato
Superintendent
Fleet Maintenance Division



500 West Big Beaver
Troy, Michigan 48064
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Operations
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Technology
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

March 8, 2004

Lubrication Specialists & Company
61653 Miriam Dr
Washington MI 48094
Attn: Mike Ellis

Dear Mike:

On May 31, 2001 the City of Troy entered into contract #20100504-OB with Lubrication Specialists & Company to provide three year requirements of synthetic oil. This contract contained an option to renew for three additional years at the same prices, terms, and conditions as the original contract.

Please FAX this letter back indicating if Lubrication Specialists & Company wishes to renew this contract until 05-31-07. Our FAX number is (248) 680-7281. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Manager and City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 680-7288.

CHECK ONE:

**Lubrication Specialists & Co is interested in
renewing the contract under the same prices,
terms, and conditions:**

(✓)

**Lubrication Specialists & Co is not interested
in renewing the contract:**

()

x 

Signed: Authorized Company Representative

Date: 3/14/04

Thank you,



Samuel P. Lamerato
Superintendent
Fleet Maintenance Division



500 West Big Beaver
Troy, Michigan 48084
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Operations
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Technology
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

March 8, 2004

Coach & Motor Company
33460 Lipke
Clinton Township MI 48035
Attn: Mike Farmer

Dear Mike:

On May 31, 2001 the City of Troy entered into contract #20100505-OB with Coach & Motor Company to provide three year requirements of Chevy/GM parts and GMC medium duty parts. This contract contained an option to renew for three additional years at the same prices, terms, and conditions as the original contract.

Please FAX this letter back indicating if Coach & Motor Company wishes to renew this contract until 05-31-07. Our FAX number is (248) 680-7281. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Manager and City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 680-7288.

CHECK ONE:

**Coach & Motor Company is interested in
renewing the contract under the same prices,
terms, and conditions:**

☒

**Coach & Motor Company is not interested
in renewing the contract:**

☐

X Michael J. Farmer
Signed: Authorized Company Representative

Date: 3/10/04

Thank you

Samuel P. Lamerato

Samuel P. Lamerato
Superintendent
Fleet Maintenance Division



500 West Big Beaver
Troy, Michigan 48064
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Operations
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Technology
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

March 8, 2004

Munn Tractor Sales Inc
3700 Lapeer Road
Auburn Hills MI 48326

To Whom It May Concern:

On May 31, 2001 the City of Troy entered into contract #20100508-OB with Munn Tractor Sales Inc to provide three year requirements of Ford tractor parts. This contract contained an option to renew for three additional years at the same prices, terms, and conditions as the original contract.

Please FAX this letter back indicating if Munn Tractor Sales Inc wishes to renew this contract until 05-31-07. Our FAX number is (248) 680-7281. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Manager and City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 680-7288.

CHECK ONE:

Munn Tractor Sales Inc is interested in renewing the contract under the same prices, terms, and conditions:

(X)

Munn Tractor Sales Inc is not interested in renewing the contract:

()

X 

Signed: Authorized Company Representative

Date: 3-15-04

Thank you


Samuel R. Lamerato
Superintendent
Fleet Maintenance Division



500 West Big Beaver
Troy, Michigan 48064
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Operations
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Technology
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

March 8, 2004

All Type Truck & Trailer Repair
23660 Sherwood
Warren MI 48091

To Whom It May Concern:

On May 31, 2001 the City of Troy entered into contract #20100503-OB with All Type Truck & Trailer Repair to provide three year requirements of trailer parts and springs. This contract contained an option to renew for three additional years at the same prices, terms, and conditions as the original contract.

Please FAX this letter back indicating if All Type Truck & Trailer Repair wishes to renew this contract until 05-31-07. Our FAX number is (248) 680-7281. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Manager and City Council approval and a blank purchase order issued.

If you have any questions please call me at (248) 680-7288.

CHECK ONE:

All Type Truck & Trailer Repair is interested in renewing the contract under the same prices, terms, and conditions:

All Type Truck & Trailer Repair is not interested in renewing the contract:

X *Thomas H. Kung*
Signed: Authorized Company Representative

Date:

3-12-04

Thank you

Samuel P. Lamerato
Samuel P. Lamerato
Superintendent
Fleet Maintenance Division



500 West Big Beaver
Troy, Michigan 48084
Fax: (248) 524-0851
www.ci.troy.mi.us

March 8, 2004

Lacal Equipment Inc
104 Washington Street
PO Box 757
Jackson Center OH 45334-0757

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Operations
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Technology
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

To Whom It May Concern:

On May 31, 2001 the City of Troy entered into contract #20100511-OB with Lacal Equipment Inc to provide three year requirements of Tymco parts. This contract contained an option to renew for three additional years at the same prices, terms, and conditions as the original contract.

Please FAX this letter back indicating if Lacal Equipment Inc wishes to renew this contract until 05-31-07. Our FAX number is (248) 680-7281. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Manager and City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 680-7288.

CHECK ONE:

Lacal Equipment Inc is interested in renewing the contract under the same prices, terms, and conditions:

(X)

Lacal Equipment Inc is not interested in renewing the contract:

()

X

Deane W. Dittus
Signed: Authorized Company Representative

Date: 3-11-04

Thank you,

Samuel P. Lamerato
Samuel P. Lamerato
Superintendent
Fleet Maintenance Division



500 West Big Beaver
Troy, Michigan 48064
Fax: (248) 524-0851
www.ci.troy.mi.us

The Old Dominion Brush Co
5118 Glen Alden Drive
Richmond VA 23231

March 8, 2004

To Whom It May Concern:

On May 31, 2001 the City of Troy entered into contract #20100512-OB with The Old Dominion Brush Co to provide three year requirements of Vac-All parts and Tymco parts. This contract contained an option to renew for three additional years at the same prices, terms, and conditions as the original contract.

Please FAX this letter back indicating if The Old Dominion Brush Co wishes to renew this contract until 05-31-07. Our FAX number is (248) 680-7281. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Manager and City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 680-7288.

CHECK ONE:

The Old Dominion Brush Co is interested in renewing the contract under the same prices, terms, and conditions: (✓)

The Old Dominion Brush Co is not interested in renewing the contract: ()

X 
Signed: Authorized Company Representative

Date: 3/15/04

Thank you,


Samuel P. Lamerato
Superintendent
Fleet Maintenance Division

Area code (248)
Assessing
524-3311
Bldg. Inspections
524-3344
Bldg. Operations
524-3368
City Clerk
524-3316
City Manager
524-3330
Community Affairs
524-1147
Engineering
524-3383
Finance
524-3411
Fire-Administration
524-3419
Human Resources
524-3339
Information Technology
619-7279
Law
524-3320
Library
524-3545
Parks & Recreation
524-3484
Planning
524-3364
Police-Administration
524-3443
Public Works
524-3370
Purchasing
524-3338
Real Estate & Development
524-3498
Treasurer
524-3334
General Information
524-3300



500 West Big Beaver
Troy, Michigan 48064
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Operations
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Technology
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

March 8, 2004

Bell Equipment Company
78 Northpointe Drive
Lake Orion MI 48359

To Whom It May Concern:

On May 31, 2001 the City of Troy entered into contract #20100513-OB with Bell Equipment Co to provide three year requirements of Vac-All parts. This contract contained an option to renew for three additional years at the same prices, terms, and conditions as the original contract.

Please FAX this letter back indicating if Bell Equipment Co wishes to renew this contract until 05-31-07. Our FAX number is (248) 680-7281. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Manager and City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 680-7288.

CHECK ONE:

Bell Equipment Co is interested in renewing the contract under the same prices, terms, and conditions:

(X)

Bell Equipment Co is not interested in renewing the contract:

()

X S. Beal
Signed: Authorized Company Representative

Date: 3.12.04

Thank you

Samuel P. Lamerato
**Superintendent
Fleet Maintenance Division**



500 West Big Beaver
Troy, Michigan 48084
Fax (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Operations
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Technology
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

March 8, 2004

Terminal Supply Co
1800 Thunderbird
Troy MI 48084

To Whom It May Concern:

On May 31, 2001 the City of Troy entered into contract #20100510-OB with Terminal Supply Co to provide three year requirements of wire terminals. This contract contained an option to renew for three additional years at the same prices, terms, and conditions as the original contract.

Please FAX this letter back indicating if Terminal Supply Co wishes to renew this contract until 05-31-07. Our FAX number is (248) 680-7281. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Manager and City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 680-7288.

CHECK ONE:

Terminal Supply Co is interested in renewing the contract under the same prices, terms, and conditions:

☒

Terminal Supply Co is not interested in renewing the contract:

☐

X 
Signed: Authorized Company Representative

Date: 3-11-04

Thank you,


Samuel P. Lamerato
Superintendent
Fleet Maintenance Division

RECEIVED

OCT 29 2001

CITY OF TROY
CITY MANAGER'S OFFICE

October 23, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
William Need, Public Works Director

SUBJECT: Standard Purchasing Resolution 2: Lowest Acceptable Bidders –
Automobile, Light Truck, Farm, and Construction Equipment Replacement Parts
with an Option to Renew for an Additional Three Years

RECOMMENDATION:

We have received bid proposals from automobile and truck part suppliers to furnish three-year requirements of repair parts for the Motor Equipment Pool. All parts bid must meet or exceed original equipment manufacturer's specifications.

Bid proposals were opened April 24, 2001. The bid proposals were analyzed by comparing our cost on specific parts as opposed to just considering the discount, since each supplier has a different catalog and price sheet. After researching individual vendors, cross referencing part numbers for like value and quality, including actual site visits, personal contacts, reviewing inventory and budgetary limitations, the following recommendations are being made to the low bidders meeting specifications in each category as follows:

<u>VENDOR</u>	<u>PRODUCT LINE</u>	<u>DISCOUNT</u>
D&D Auto Parts	Brakes	Jobber -15%
Kirk's Automotive	Brake Rotors	Vendor computerized price -10%
Crown Battery	Batteries	Manufacturer's Price 011D1
D&D Auto Parts	Seals	Jobber
Lubrication Specialists	Synthetic Oil	Manufacturer's Price 0-10% off
Coach & Motor	Chevy/GM Parts	Vendor computerized price X 1.17%
Munn Tractor	Ford Tractor Parts	Vendor computerized price -10%
Coach & Motor	GMC Medium Duty Parts	Vendor computerized price X 1.17%
All Type Truck & Trailer	Trailer Parts	Manufacturer's Price -10%

E-8

To: The Honorable Mayor and City Council
 Re: Bid Award – Automotive, Light Truck, Farm and Construction Equipment
 Replacement Parts

<u>VENDOR</u>	<u>PRODUCT LINE</u>	<u>DISCOUNT</u>
Lacal Equipment	Tymco Parts	Vendor computerized price -25%
Old Dominion Brush	Tymco Parts	Vendor computerized price -20% secondary vendor
Old Dominion Brush	Vac-All Parts	Vendor computerized price -20%
Bell Equipment	Vac-All Parts	Vendor computerized price secondary vendor
Terminal Supply	Wire Terminals	Vendor computerized price - Net
All Type Truck & Trailer	Springs	Manufacturer's Price -10% to 65%

Bids from Coach & Motor, Kirk's Automotive, and Motion Industries were unawardable for brakes and seals because complete catalogs and price sheets were not provided for the items as specified.

DEFINITIONS

Jobber (Net-Distributor) – Warehouse selling price

Manufacturer's Price Sheet – Published price sheet produced by the manufacturer listing all part numbers and prices

Computerized Price Sheet – Price sheet produced by the vendor listing all part numbers and prices

EXPLANATION OF BIDS NOT MEETING SPECIFICATIONS

The following vendors **did not meet specifications** for the listed product line, for the reasons indicated:

<u>PRODUCT LINE</u>	<u>VENDOR</u>	<u>DMS JUSTIFICATION</u>
Light Bulbs	D&D Auto Parts Kirk's Automotive Terminal Supply Coach & Motor	Budgetary limitations Budgetary limitations No catalog/price sheet No catalog/price sheet
Lights	D&D Auto Parts Kirk's Automotive Terminal Supply	Budgetary limitations Budgetary limitations No catalog/price sheet

To: The Honorable Mayor and City Council

Re: Bid Award – Automotive, Light Truck, Farm and Construction Equipment
Replacement Parts

<u>PRODUCT LINE</u>	<u>VENDOR</u>	<u>DMS JUSTIFICATION</u>
Filters	Coach & Motor D&D Auto Parts Kirk's Automotive Lubrication Specialists	Budgetary limitations Budgetary limitations Budgetary limitations No catalog/price sheet
Briggs & Stratton Parts	Kirk's Automotive	No catalog/price sheet
Heavy Duty Brakes	Kirk's Automotive	No catalog/price sheet
Caterpillar Engine Parts	Kirk's Automotive	No catalog/price sheet
Cummins Parts	Kirk's Automotive	No catalog/price sheet
Detroit Diesel Parts	Kirk's Automotive	No catalog/price sheet
Dodge Parts	Kirk's Automotive	No catalog/price sheet
Ford Parts	Kirk's Automotive	No catalog/price sheet
Ford Heavy Duty Parts	Kirk's Automotive	No catalog/price sheet
Glass Replacement	Troy Auto Glass	Budgetary limitations
GMC Heavy Duty Parts	Kirk's Automotive	No catalog/price sheet
John Deere Parts	Kirk's Automotive	No catalog/price sheet
John Deere Mower Parts	Kirk's Automotive Lacal Equipment Company	No catalog/price sheet No catalog/price sheet
Sterling Truck Heavy Duty Parts	Kirk's Automotive	No catalog/price sheet
Radiators	Kirk's Automotive	No catalog/price sheet

To: The Honorable Mayor and City Council
Re: Bid Award – Automotive, Light Truck, Farm and Construction Equipment
Replacement Parts

No bids were received for the following product lines: **Badger parts, Case parts, E.J. Ward parts, Galion parts, Dayco hydraulic fittings, JCB parts, Monroe plow parts, Root plow parts, Swenson spreader parts, and Vactor parts.** We will have to rebid these items, as well as the above listed product lines where no bidder met the City's specifications, or there are budgetary concerns. Revisions will be made to the bid to include a pre-bid meeting to confirm receipt of a bid document.

BUDGET

Funds are available in the Motor Equipment Pool Operating Budget.

154 Bids Sent
23 Bids Rec'd
6 No Bids
1 Late Bid

Opening Date -- 4/24/01
Date Prepared -- 10/23/01

BID TABULATION
AUTO PARTS

SBP 01-21

VENDOR NAME	BRAKES	DISCOUNT	BRAKE ROTORS	DISCOUNT	LIGHT BULBS	DISCOUNT	BATTERIES	DISCOUNT	LIGHTS	DISCOUNT
BATTERY WAREHOUSE							\$190.95	0%		
BELL EQUIP COMPANY										
COACH AND MOTOR COMPANY	DMS (\$76.30)	50%	\$211.61	50%	DMS		\$294.70	35-55%		
D & D AUTO PARTS	\$81.64	(15%)	\$228.85	8%	DMS				DMS	
KIRKS AUTOMOTIVE	DMS (\$47.93)	(10%)	\$125.26	10%	DMS		\$239.44	10%	DMS	
LACAL EQUIPMENT CO., INC.										
MUNN FORD TRACTOR										
OLD DOMINION BRUSH										
TERMINAL SUPPLY CO.					DMS				DMS	
CROWN BATTERY MFG. CO. INC							\$143.31	0%		
TROY AUTO GLASS										
ALL TYPE TRUCK & TRAILER RPR INC										
LUBRICATION SPECIALIST & CO										
MOTION INDUSTRIES										
INTERSTATE BATTERIES							\$167.13	25%		
START ALL ENT INC							\$292.15	0%		

NO BIDS:

Cannon Equipment
Michigan Generator
North River Truck & Trailer Inc
G TEC Truck Equipment
Myers Tire Supply
Pro Blue Starter

ATTEST:

Cecilia Brukwinski
Kathy Denby
Sam Lamerato
Linda Bockstanz

PROPOSAL -- Furnish Three(3) Year Requirements of Vehicle Replacement Parts with an
Option to Renew for an Additional Three(3) Years

BOLDFACE TYPE DENOTES LOWEST ACCEPTABLE BIDDERS

Opening Date -- 4/24/01
Date Prepared -- 10/23/01

BID TABULATION
AUTO PARTS

SBP 01-21

SEALS	DISCOUNT	FILTERS	DISCOUNT	SYN. OIL	DISCOUNT	BADGER	BRIGGS STRATTON	BRAKES H/D	CASE	CAT. ENG. PTS.	CHEVY GM	CUMMINS
-------	----------	---------	----------	-------------	----------	--------	--------------------	---------------	------	-------------------	-------------	---------

			DMS								cost X 1.17	
\$51.24	JOBBER		DMS									
DMS (\$44.95)	10%		DMS			DMS		DMS		DMS	dlr +33%	DMS

		DMS	\$2,926.00	0-10%	
DMS (\$48.97)	BLANK				

PROPOSAL -- Furnish Three(3) Year Requirements of Vehicle Replacement Parts with an
Option to Renew for an Additional Three(3) Years

BOLDFACE TYPE DENOTES LOWEST ACCEPTABLE BIDDERS

Opening Date -- 4/24/01
Date Prepared -- 10/23/01

BID TABULATION
AUTO PARTS

SBP01-21

DET.	DODGE	E.J.	FORD	FORD	FORD	GALION	GLASS	GMC	GMC	DAYCO	JCB	JOHN
DIESEL		WARD		H/D	TRACTOR		REPLACE	M/DUTY	H/D	HYD/FIT		DEERE

cost X 1.17

DMS

DMS

DMS

DMS

dlr +33%

dlr +33%

DMS

DMS

dlr -10%

DMS

PROPOSAL -- Furnish Three(3) Year Requirements of Vehicle Replacement Parts with an
Option to Renew for an Additional Three(3) Years

BOLDFACE TYPE DENOTES LOWEST ACCEPTABLE BIDDERS

Opening Date -- 4/24/01
Date Prepared -- 10/23/01

BID TABULATION
AUTO PARTS

SBP 01-21

J/D	MONROE	ROOT	STERLING	SWENSON	TRAILER	TYMCO	VAC-	VACTOR	WIRE	RADIATORS
MOWER	PLOW	PLOW	H/D	SPREAD.	PARTS		ALL		TERM.	

PS 0%DISC

DMS
DMS

DMS

NAPA 0%

C -25%

NAPA 0%

DMS

ps -20%

ps -20%

net

net

list -10%

PROPOSAL -- Furnish Three(3) Year Requirements of Vehicle Replacement Parts with an
Option to Renew for an Additional Three(3) Years

BOLDFACE TYPE DENOTES LOWEST ACCEPTABLE BIDDERS

Opening Date -- 4/24/01
 Date Prepared -- 10/23/01

BID TABULATION
 AUTO PARTS

SBP 01-21

SPRINGS	EXTEND	NO	DELIVERY	DELIVERY	MINIMUM	MINIMUM	PHONE
	TRI-CTY	TRI-CTY	STOCK	EMER.	SHIPMENT	SHIP=0	NUMBER
	blank		blank	blank	blank	blank	
		no	4 hr	1 hr			0 (248)370-0000
	yes		2 hr				0 (800)556-4440
	yes		12 hr	1 hr			0 (248)589-0199
NAPA 0%	yes		3 hr	1 hr			0 (313)933-7030
	yes		blank	blank	\$25.00		(800)543-6161
	yes		2 hr	24 hr	FOB AUBURN HILLS		(248)373-5000
	yes		24-48 hr	24 hr	\$25.00		(800)446-9823
			1 hr	3 hr			0 (248)362-0790
	yes		48 hr aft phone	48 hr			0 (419)334-7181
		no	24 hr	4 hr			0 (248)649-3109
10-65% off list	yes		48 hr aft phone	8 hr			0 (810)756-8050
	yes		blank	blank	see exceptions		(810)781-5092
	yes		24 hr	2 hr	\$1.00		(248)680-4777
	yes		2 hr	20 min			0 (248)589-9084
	blank		1-24 hr	1-2 hr			0 (313)532-3462

PROPOSAL -- Furnish Three(3) Year Requirements of Vehicle Replacement Parts with an
 Option to Renew for an Additional Three(3) Years

BOLDFACE TYPE DENOTES LOWEST ACCEPTABLE BIDDERS

Opening Date -- 4/24/01
Date Prepared -- 10/23/01

BID TABULATION
AUTO PARTS

SBP 01-21

FAX NUMBER	NAME	TERMS	WARRANTY
blank	blank	blank	blank
(248)370-0011	Scott Cunningham	net 30 days	6 mo limited
(810)790-5611	Michael Farmer	net 10th	12 mo/12,000mi 3yr/50,000 eng trans
(248)589-3688	Dan Plontus	30 days/net 10th	90 days
(313)933-7073	Robert E. Kirkman	net 30	90 days
(937)596-5433	Barry Summer	net 30 days	blank
(248)373-4445	Ken Vukovich	net 10 prox	90 days
(804)226-6914	Duke Brizzolava	net 30	material & workmanship
(248)362-0824	Joe DeBrincat	net 30 days	blank
(419)334-7124	William Bessire	net 10/net 30	2 yr
(248)649-4116	Gary Laviolette	net 30	lifetime on workmanship
(810)756-3668	Roger J. Christel	30 days	90 days
(810)781-9412	Michael Ellis	net 30 days	see limited warranty sheets
(248)680-0075	Bryan Laubach	net 30	blank
(248)589-1961	Chris Miltimore	net 30	30 months
(313)532-4280	Robert Dumas	net 30 days	18 months free/7 yr pro-rated

PROPOSAL -- Furnish Three(3) Year Requirements of Vehicle Replacement Parts with an
Option to Renew for an Additional Three(3) Years

BOLDFACE TYPE DENOTES LOWEST ACCEPTABLE BIDDERS

Opening Date -- 4/24/01
Date Prepared -- 10/23/01

BID TABULATION
AUTO PARTS

SBP01-21

EXCEPTIONS

blank
blank
any GM part not listed in catalog can be special ordered AC Delco=List Price -50%
tri city-10 mi from Royal Oak, min \$50 except Troy
none
n/a
listed in bid
blank
blank
blank
see delivery section - emergencies 7:30AM-5:00PM Mon-Fri
collision repair
frt costs will vary between \$.08 - \$.29/lb min chg is \$3.80 - listed in bid
blank
blank
blank

Jeanette Bennett
Purchasing Director

PROPOSAL -- Furnish Three(3) Year Requirements of Vehicle Replacement Parts with an
Option to Renew for an Additional Three(3) Years

BOLDFACE TYPE DENOTES LOWEST ACCEPTABLE BIDDERS

Mailing Name	Address Line 1	Address Line 2	City City	ST	Postal Code
A R K ENTERPRISES INC	46120 ANN ARBOR		PLYMOUTH	MI	48170
ACTION COLLISION	33873 DEQUINDRE		TROY	MI	48083
AJAX TRAILERS	2089 E TEN MILE		WARREN	MI	48091
ALL TYPE TRUCK & TRAILER REPAIR	23660 SHERWOOD		WARREN	MI	48091
ALLIED INCORPORATED	260 METTY		ANN ARBOR	MI	48106-0988
AM-DYN-IC FLUID POWER	25340 TERRA INDUSTRIAL DR		CHESTERFIELD	MI	48051-5403
AMERICAN AUTOMOBILE MANUFACTURER'S ASSOC	PO BOX 11170		DETROIT	MI	48211
AMERICAN GAS & OIL INC	P O BOX 247		SPARTA	MI	49345
THE AMERICAN LUBRICANTS CO	1227 DEEDS AVE	P O BOX 696	DAYTON	OH	45401-0696
AMERICAN POWER SWEEPING	1924 BIRCHWOOD DRIVE	P O BOX 99543	TROY	MI	48083-2213
AMERICAN TRANSMISSIONS	3953 ROCHESTER RD		TROY	MI	48084
AMSOIL INC	ATTN: ACCOUNTS RECEIVABLE	AMSOIL BUILDING	SUPERIOR	WI	54880
ARROW TRUCK PARTS & SERVICE	2637 W FORT STREET		DETROIT	MI	48216
AUTO ACCESSORIES	27390 RYAN ROAD		WARREN	MI	48092-3069
AUTO ALARMS & ACCESSORIES	8250 EAST 9 MILE ROAD		WARREN	MI	48089-2326
AUTO AMERICAN GLASS & ALARMS	1129 EAST 14 MILE ROAD		TROY	MI	48083
AUTO BAKES SPECIALIST	2416 COOLIDGE HWY		BERKLEY	MI	48072
AUTO CENTER RADIATOR INC	14447 EAST 9 MILE RD		WARREN	MI	48089
AUTO DIESEL EQUIPMENT REPAIR	926 SO. NEWBURGE ROAD		WESTLAND	MI	48186
AUTO DOCTORS QUICK LUBE	4860 HIGHLAND RD		WATERFORD	MI	48328
AUTO ELECTRIC & SERVICE CENTER	6205 HIGHLAND RD		WATERFORD	MI	48237
AUTO GLASS TOOL CORP	1401 AXTELL DR		TROY	MI	48084
AUTO INTERIORS INC	24618 N. RIVER ROAD		MT CLEMENS	MI	48043
AUTO MUFFLER SERVICE	24020 GROESBECK HWY		WARREN	MI	48089
AUTO ONE OF OAKLAND	32834 JOHN R		MADISON HGTS	MI	48071
AUTO ONE OF TROY/BIRMINGHAM	1752 W MAPLE		TROY	MI	48084
AUTO PLASTIC TECHNOLOGIE	6600 15 MILE ROAD		STERLING HTS	MI	48312

SBP #01-20 AUTOMOBILE PARTS

COMMODITY CODE: #060-00 AUTO MAINT ITEMS &
REPAIRS

Mailing Name	Address Line 1	Address Line 2	City City	ST	Postal Code
D & W SPRING INC	21816 DEQUINDRE		WARREN	MI	48091
DEAN SELLERS FORD	2600 W MAPLE ROAD		TROY	MI	48084
DELTA SUPPLY COMPANY	13145 WAYNE ROAD		LIVONIA	MI	48150
DETROIT AIR COMPRESSOR	3205 BERMUDA		FERNDAL	MI	48220
DETROIT BALL BEARING	493 S SAGINAW		PONTIAC	MI	48341
DIAMOND/TRIUMPH AUTO GLASS	32210 DEQUINDRE ST		WARREN	MI	48092
ATTN JOHN FEATHERSTONE	E J WARD INC	6410 SOUTHWEST BLVD STE 224	FORT WORTH	TX	76109
ATTN LEE CHRISTENSEN	E J WARD INC	P O BOX 17888	SAN ANTONIO	TX	78217
ED SCHMIDT FORD	21600 WOODWARD AVE		FERNDAL	MI	48220
ELDER FORD	777 JOHN R		TROY	MI	48083
ENGINE SUPPLY INC	P O BOX 437		NOVI	MI	48376-0437
EXIDE CORPORATION	7310 KENSINGTON ROAD		BRIGHTON	MI	48116
FLEET TIRE SALES INC	20787 MOUND ROAD		WARREN	MI	48091
FRAZA EQUIPMENT	15725 12 MILE ROAD		ROSEVILLE	MI	48066
G TEC TRUCK EQUIPMENT	3040 WYOMING AVE		DEARBORN	MI	48120
GARBER CHEVROLET	1700 N SAGINAW		MIDLAND	MI	48640
GLASS AMERICA	5097 WILLIAMS LAKE ROAD		WATERFORD	MI	48329
GOLLING CHRYSLER PLYMOUTH	2125 S TELEGRAPH		BLOOMFIELD HILLS	MI	48302
GOLLING-LEVY EMERGENCY EQUIPMENT	1491 SOUTH LAPEER ROAD		LAKE ORION	MI	48360
GRAFF TRUCK CENTERS INC	1401 S SAGINAW		FLINT	MI	48503
GREAT LAKES TRUCK AND TRAILER INC	5912 EXECUTIVE DRIVE EAST		WESTLAND	MI	48185
H & H WHEEL	2520 22ND STREET		DETROIT	MI	48216
HASTINGS AUTO SUPPLY	1511 N MAIN STREET		CLAWSON	MI	48017
HASTINGS AUTO SUPPLY	16200 HARPER		DETROIT	MI	48824
HOEKSTRA TRUCK EQUIP CO	260 36TH ST S E	P O BOX 2246	GRAND RAPIDS	MI	49501
HYDRAULICS MD INC	1750 BLANEY		TROY	MI	48084
INFRA-PRODUCTS INC	1850 FREEMONT		TROY	MI	48098-2522

MYERS TIRE SUPPLY COMPANY	37515 SCHOOLCRAFT		LIVONIA	MI	48150
N B C TRUCK EQUIPMENT	28130 GROESBECK		ROSEVILLE	MI	48066
NORTH RIVER TRUCK & TRAILER INC	24411 NORTH RIVER ROAD	P O BOX 732	MT CLEMENS	MI	48046
OAKLAND DODGE	101 W 14 MILE		MADISON HGTS	MI	48071
OHLIN SALES INC	P O BOX 35603		MINNEAPOLIS	MN	55439
THE OLD DOMINION BRUSH CO	5118 GLEN ALDEN DRIVE		RICHMOND	VA	23231
PERRY SCREW & BOLT CORPORATION	4250 GRAND RIVER AVENUE		DETROIT	MI	48208-2796
PRO BLUE STARTER	25512 JOHN R		MADISON HEIGHTS	MI	48071
RADIATOR SPECIALTY	P O BOX 34689		CHARLOTTE	NC	48234
ATTN GREG REEFER	REEFER PETERBILT	2645 AUBURN RD	AUBURN HILLS	MI	48321
REEFER TRUCK CENTER	2645 AUBURN ROAD		AUBURN HILLS	MI	48326
ROYAL OAK FORD	550 N WOODWARD		ROYAL OAK	MI	48067
RUSH EQUIPMENT	7200 15 MILE ROAD		STERLING HEIGHTS	MI	48312
RUSS MILNE FORD INC	24777 WILLIAM P ROSSO HWY		MACOMB	MI	48042-5520
S & R EQUIPMENT CO INC	51722 GRAND RIVER		WIXOM	MI	48393
SCHERER TRUCK EQUIPMENT INC	2670 AUBURN ROAD		AUBURN HILLS	MI	48326
SCHULTS EQUIPMENT INC	1532 S STATE ROAD	P O BOX 127	ITHACA	MI	48847
SEAL METHODS EQUIPMENT INC	10016 ROMANDEL		SANTE FE SPRINGS	CA	90670
SERVICE AUTOMOTIVE SUPPLY CO	2660 WEST FORT STREET		DETROIT	MI	48216
SOUTHWEST BRAKE & PARTS INC	951 SOUTH DIX STREET		DETROIT	MI	48217
SPARTAN OIL CORP	419 SPRING ST		LANSING	MI	48912
SRECO FLEXIBLE	P O BOX 1441	3434 S DIXIE HIGHWAY	LIMA	OH	45804
STAR TRUCK SALES	3020 S CREYTS ROAD	PO BOX 85300	LANSING	MI	48917
START-ALL ENTERPRISES	24731 W 8 MILE RD		DETROIT	MI	48219
STERLING HEIGHTS DODGE INC	40111 VAN DYKE AVENUE		STERLING HEIGHTS	MI	48313
TERMINAL SUPPLY CO	1800 THUNDERBIRD		TROY	MI	48084

April 5, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Patricia A. Petitto, Senior Right of Way Representative

SUBJECT: AGENDA ITEM - REQUEST FOR ACCEPTANCE OF
PERMANENT SANITARY SEWER EASEMENT &
PERMANENT WATER MAIN EASEMENT
Sidwell #88-20-35-400-020
Project No. 03.938.3 – Lord & Taylor, Oakland Mall

In connection with the construction of the Lord & Taylor store at Oakland Mall in the Southeast ¼ of Section 35, the Real Estate and Development Department has acquired a permanent easement for sanitary sewer and a permanent easement for water main from Oakland Mall, LLC, a Michigan Limited Liability Company. The consideration on each document is \$1.00.

Management recommends that City Council accept the attached easements.

cc: Steve Vandette, City Engineer

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that Oakland Mall, LLC, a Michigan Limited Liability Co. whose address is 39577 N. Woodward Avenue, Suite 220, Bloomfield Hills, Michigan 48304-2820 party of the first part, for and in consideration of the sum of _____ paid to Oakland Mall, LLC by the City of Troy (A Michigan Municipal Corporation), party of the second part, whose address is 500 West Big Beaver Road, Troy, Michigan 48064-5285 do hereby grant to the said party of the second part the right to construct, operate, maintain, repair and/or replace SANITARY SEWER within an easement across and through the following described land situated in:

SEE EXHIBIT ATTACHED
SIDWELL NO. 20-35-400-020

The premises so disturbed by reason of the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the party of the second part.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors, and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 26th day of March, A.D. 20 04.

WITNESSETH:

Susan Baker

* Susan Baker

* Please print or type name beneath signature.

STATE OF MICHIGAN)
COUNTY OF OAKLAND) ss.

On this 26th day of March, A.D. 20 04, before me, a Notary Public within and for said County, appeared Douglas Mossman to me personally known, who being by name sworn, did say that he is respectively the Manager/Partner and xxx of Oakland Mall, LLC, a Michigan Limited Liability Company, and that said instrument was signed and sealed on behalf of Oakland Mall, LLC, a Michigan Limited Liability Company by authority of its Board of Directors and acknowledge said instrument to be the free act and deed of said Corporation.

OAKLAND MALL, LLC
a Michigan Limited Liability Company

By: [Signature] (L.S.)

* Douglas Mossman

Its: Manager/Partner

By: _____ (L.S.)

Its: _____

Susan C. Baker
Notary Public, Oakland County, Michigan

* Susan C. Baker

My Commission Expires April 30, 2007

(Corporation)

Prepared by:
Robert J. Frisch, P.S.
Hubbell, Roth & Clark, Inc.
555 Hulet Drive
P.O. Box 824
Bloomfield Hills, MI 48303-0824

Return to:
City Clerk
City of Troy
500 W. Big Beaver Road
Troy, Michigan 48064-5285

SKETCH OF EASEMENT



20-35-400-021

SCALE: 1" = 100'

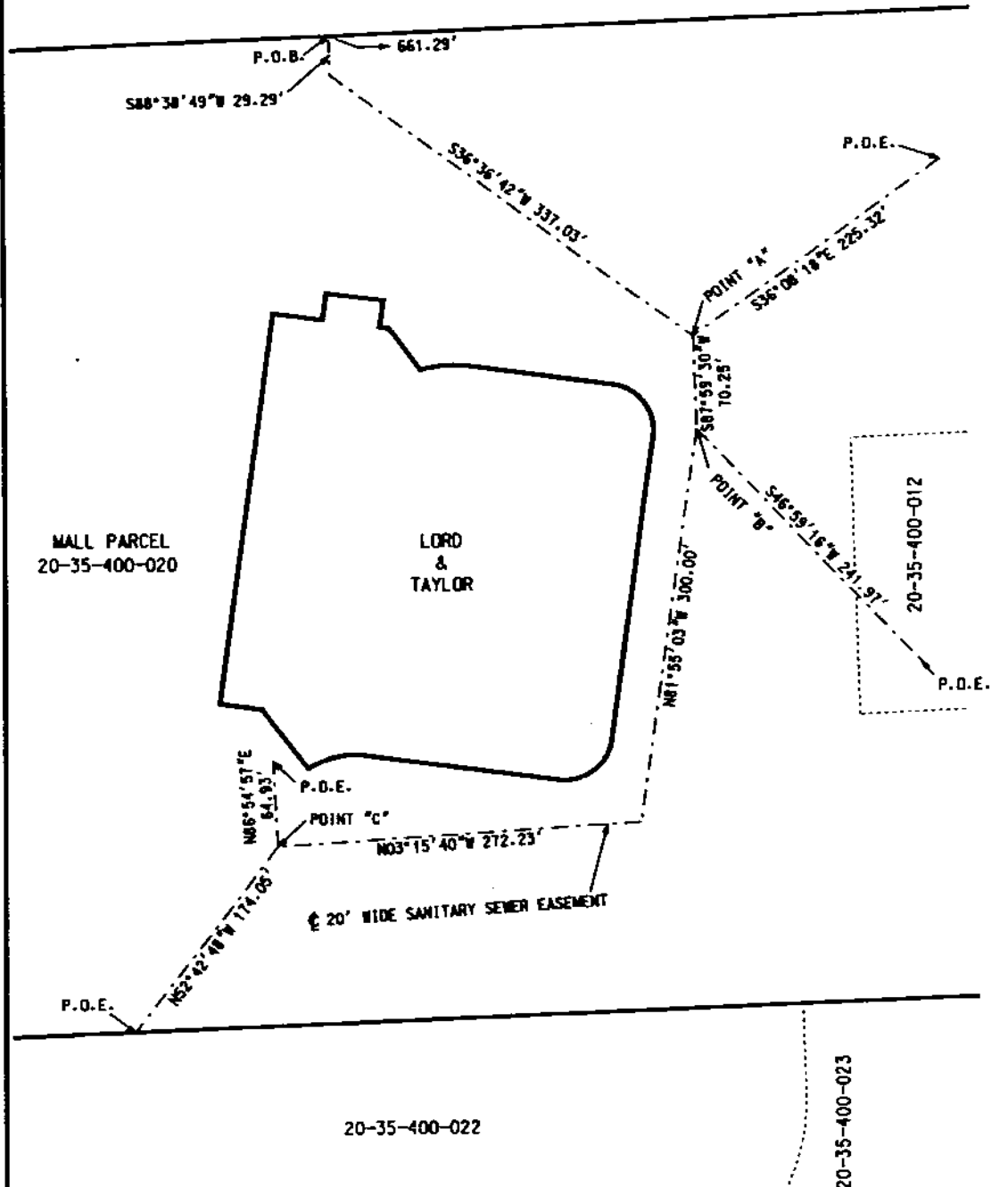
TIME - 01-APR-2004 15:03

PEN TBL - 1/16" standard quantity of steel 2/16"

DUE - 1/16" standard quantity of steel 2/16"

DESIGN FILE - C:\1995\199501\199501.dwg

USER NAME - Japart



20' WIDE SANITARY SEWER EASEMENT

JOB NO. 20010709	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	P.O. BOX 824 48303-0824	SHEET NO. 2 OF 3
DATE 03-09-04			

20010709
sanitary sewer easement
03-09-04 jad
03-30-03 jad
04-01-04 jad added legs

EXHIBIT "A" (Page 3 of 3)

DESCRIPTION OF PROPERTY (MALL PARCEL)

Part of the Southeast ¼ of Section 35, Township 2 North, Range 11 East, City of Troy, Oakland County, Michigan, described as: COMMENCING at the Southeast corner of Section 35; thence South 88 degrees 13 minutes 06 seconds West 735.00 feet along the south line of Section 35; thence North 02 degrees 09 minutes 04 seconds West 75.00 feet to the north line of 14 Mile Road and the POINT OF BEGINNING; thence North 02 degrees 09 minutes 04 seconds West 1505.82 feet; thence South 87 degrees 50 minutes 56 seconds West 523.33 feet; thence along a curve to the right 149.23 feet, said curve having a radius of 190.00 feet, a central angle of 45 degrees 00 minutes 00 seconds and a chord bearing North 69 degrees 39 minutes 04 seconds West 145.42 feet; thence North 47 degrees 09 minutes 04 seconds West 31.28 feet; thence South 01 degrees 46 minutes 54 seconds East 325.85 feet; thence South 07 degrees 17 minutes 00 seconds West 383.08 feet; thence South 01 degrees 46 minutes 54 seconds East 850.00 feet to the north line of 14 Mile Road; thence along the north line of 14 Mile Road the following three (3) courses: (1) North 88 degrees 13 minutes 06 seconds East 192.68 feet, (2) South 01 degrees 46 minutes 54 seconds East 25.00 feet and (3) North 88 degrees 13 minutes 06 seconds East 557.68 feet to the POINT OF BEGINNING. EXCEPT, COMMENCING at the SE corner of Section 35; thence South 88 degrees 13 minutes 06 seconds West 735.00 feet along the south line of Section 35; thence North 02 degrees 09 minutes 04 seconds West 460.08 feet; thence South 87 degrees 50 minutes 56 seconds West 273.51 feet to the POINT OF BEGINNING; thence along a curve to the right 54.98 feet, said curve having a radius of 35.00 feet, a central angle of 90 degrees 00 minutes 00 seconds and a chord bearing South 52 degrees 53 minutes 06 seconds West 49.50 feet; thence North 82 degrees 06 minutes 54 seconds West 231.33 feet; thence along a curve to the right 54.98 feet, said curve having a radius of 35.00 feet, a central angle of 90 degrees 00 minutes 00 seconds and a chord bearing North 37 degrees 06 minutes 54 seconds West 49.50 feet; thence North 07 degrees 53 minutes 06 seconds East 145.39 feet; thence along a curve to the left 45.40 feet, said curve having a radius of 65.00 feet, a central angle of 40 degrees 01 minutes 17 seconds and a chord bearing North 12 degrees 07 minutes 32 seconds West 44.49 feet; thence North 52 degrees 53 minutes 06 seconds East 56.77 feet; thence North 07 degrees 53 minutes 06 seconds East 31.58 feet; thence South 82 degrees 06 minutes 54 seconds East 296.50 feet; thence South 07 degrees 53 minutes 06 seconds West 37.00 feet; thence South 82 degrees 06 minutes 54 seconds East 21.00 feet; thence South 07 degrees 53 minutes 06 seconds West 43.17 feet; thence North 82 degrees 06 minutes 54 seconds West 21.00 feet; thence South 07 degrees 53 minutes 06 seconds West 7.00 feet; thence South 52 degrees 53 minutes 06 seconds West 38.93 feet; thence along a curve to the right 38.82 feet, said curve having a radius of 100.00 feet, a central angle of 22 degrees 14 minutes 39 seconds and a chord bearing South 03 degrees 14 minutes 14 seconds East 38.58 feet; thence South 07 degrees 53 minutes 06 seconds West 106.37 feet to the POINT OF BEGINNING. Said parcel contains 23.035 acres, more or less.

DESCRIPTION OF SANITARY SEWER EASEMENT

A 20.00 foot wide sanitary sewer easement lying 10.00 feet each side of and adjoining a line described as: COMMENCING at the Southeast corner of Section 35, Township 2 North, Range 11 East, City of Troy, Oakland County, Michigan; thence South 88 degrees 13 minutes 06 seconds West 735.00 feet along the south line of Section 35; thence North 02 degrees 09 minutes 04 seconds West 661.29 feet to the POINT OF BEGINNING; thence South 88 degrees 38 minutes 49 seconds West 29.29 feet; thence South 36 degrees 36 minutes 42 seconds West 337.03 feet to Point "A"; thence South 87 degrees 59 minutes 30 seconds West 70.25 feet to Point "B"; thence North 81 degrees 55 minutes 03 seconds West 300.00 feet; thence North 03 degrees 15 minutes 40 seconds West 272.23 feet to Point "C"; thence North 52 degrees 42 minutes 48 seconds West 174.05 feet to the west property line and the POINT OF ENDING. ALSO, BEGINNING at Point "A"; thence South 36 degrees 08 minutes 18 seconds East 225.32 feet to the POINT OF ENDING. ALSO, BEGINNING at Point "B"; thence South 46 degrees 59 minutes 16 seconds West 241.97 feet to the POINT OF ENDING. ALSO, BEGINNING at Point "C"; thence North 86 degrees 54 minutes 57 seconds East 64.93 feet to the POINT OF ENDING. Said easement contains 34,302 square feet or 0.79 acres, more or less.

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that Oakland Mall, LLC, a Michigan Limited Liability Co. whose address is 39577 N. Woodward Avenue, Suite 220, Bloomfield Hills, Michigan 48304-2820 party of the first part, for and in consideration of the sum of _____ paid to Oakland Mall, LLC by the City of Troy (A Michigan Municipal Corporation), party of the second part, whose address is 500 West Big Beaver Road, Troy, Michigan 48064-5285 do hereby grant to the said party of the second part, the right to construct, operate, maintain, repair and/or replace WATER MAIN within an easement across and through the following described land situated in:

SEE EXHIBIT ATTACHED
SIDWELL NO. 20-35-400-020

The premises so disturbed by reason of the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the party of the second part.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors, and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 26th day of March, A.D. 20 04.

WITNESSETH:

Susan Baker

* Susan Baker

*

* Please print or type name beneath signature.

STATE OF MICHIGAN)
COUNTY OF OAKLAND) ss.

OAKLAND MALL, LLC
a Michigan Limited Liability Company

By: [Signature] (L.S.)

* Douglas Mossman

Its: Manager / Partner

By: _____ (L.S.)

*

Its: _____

On this 26th day of March, A.D. 20 04, before me, a Notary Public within and for said County, appeared Douglas Mossman ~~he is~~ to me personally known, who being by name sworn, did say that ~~they are~~ respectively the Manager / Partner ~~xxx~~ of Oakland Mall, LLC, a Michigan Limited Liability Company and that said instrument was signed and sealed on behalf of Oakland Mall, LLC, a Michigan Limited Liability Company by authority of its Board of Directors and acknowledge said instrument to be the free act and deed of said Corporation.

Susan C. Baker
Notary Public, Oakland County, Michigan

* Susan C. Baker

My Commission Expires April 30, 2007

(Corporation)

Prepared by:
Robert J. Frisch, P.S.
Hubbell, Roth & Clark, Inc.
555 Hulet Drive
P.O. Box 824
Bloomfield Hills, MI 48303-0824

Return to:
City Clerk
City of Troy
500 W. Big Beaver Road
Troy, Michigan 48064-5285

SKETCH OF EASEMENT

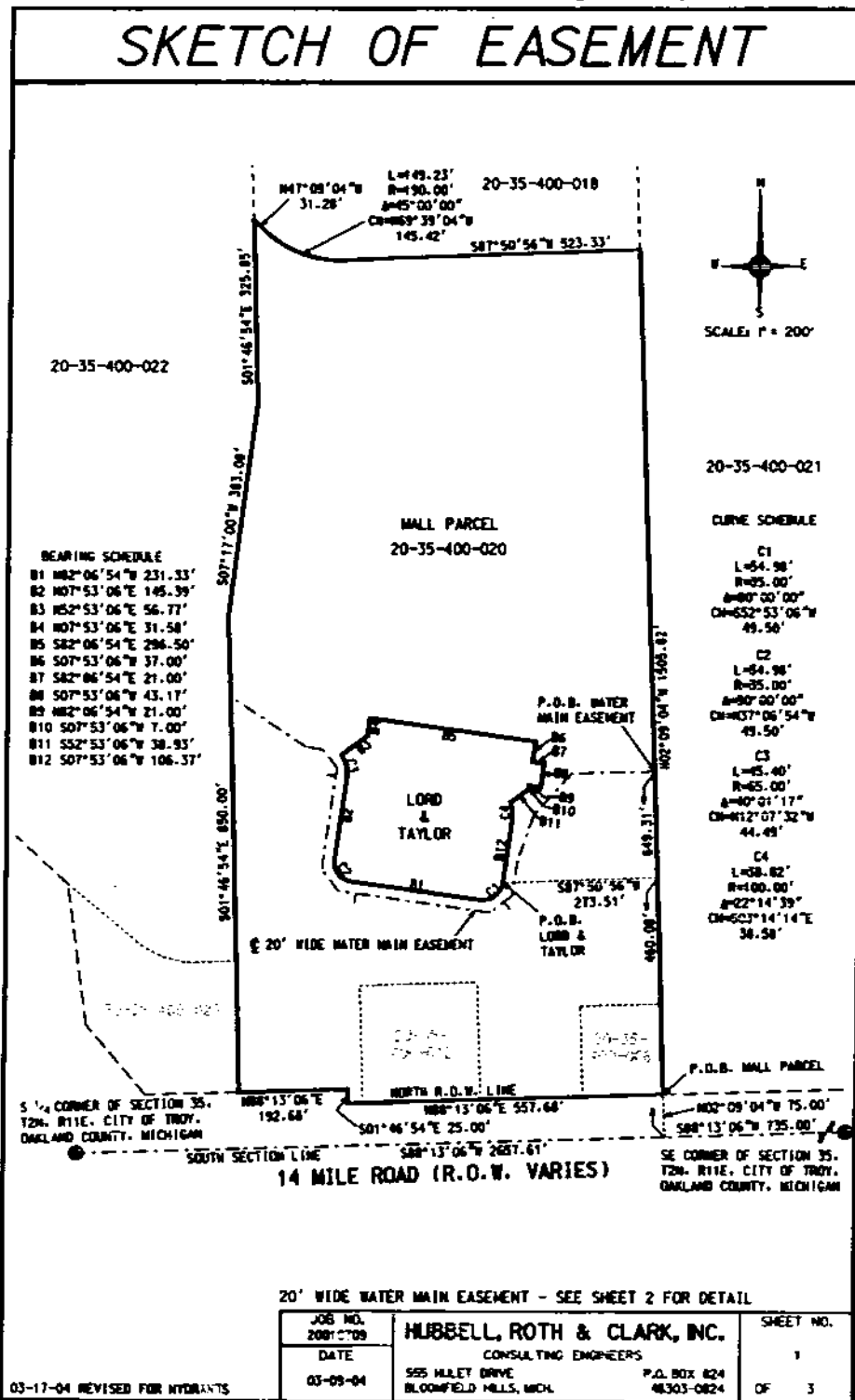
FILE - 25-SEP-2004 09:00

PER FILE - 11-NOV-2004 09:00

DATE - 03-09-04 11:00 AM

DESIGN FILE - 11-NOV-2004 09:00

DESIGN FILE - 11-NOV-2004 09:00



SKETCH OF EASEMENT



20-35-400-021

SCALE: 1" = 100'

MALL PARCEL
20-35-400-020

LORD
&
TAYLOR

P.O.E.

20-35-400-022

20-35-400-023

20' WIDE WATER MAIN EASEMENT

JOB NO. 200107-03	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 565 HALEY DRIVE BLOOMFIELD HILLS, MICH. P.O. BOX 824 48303-0824	SHEET NO. 2
DATE 03-09-04		OF 3

03-17-04 REVISED FOR HYDRANTS

© Copyright Hubbell, Roth and Clark, Inc. 2004 All Rights Reserved

FILE: 20-35-400-021.DWG

DATE: 03-17-04

DESIGN: 11/10/03

FILE: 20-35-400-021.DWG

USER: 11/10/03

20010709
 water main easement
 03-09-04 jad
 03-17-04 jad revised for hydrants
 03-26-04 jad revised
 03-29-04 jad revised

DESCRIPTION OF PROPERTY (MALL PARCEL)


Part of the Southeast ¼ of Section 35, Township 2 North, Range 11 East, City of Troy, Oakland County, Michigan, described as: COMMENCING at the Southeast corner of Section 35; thence South 88 degrees 13 minutes 06 seconds West 735.00 feet along the south line of Section 35; thence North 02 degrees 09 minutes 04 seconds West 75.00 feet to the north line of 14 Mile Road and the POINT OF BEGINNING; thence North 02 degrees 09 minutes 04 seconds West 1505.82 feet; thence South 87 degrees 50 minutes 56 seconds West 523.33 feet; thence along a curve to the right 149.23 feet, said curve having a radius of 190.00 feet, a central angle of 45 degrees 00 minutes 00 seconds and a chord bearing North 69 degrees 39 minutes 04 seconds West 145.42 feet; thence North 47 degrees 09 minutes 04 seconds West 31.28 feet; thence South 01 degrees 46 minutes 54 seconds East 325.85 feet; thence South 07 degrees 17 minutes 00 seconds West 383.08 feet; thence South 01 degrees 46 minutes 54 seconds East 850.00 feet to the north line of 14 Mile Road; thence along the north line of 14 Mile Road the following three (3) courses: (1) North 88 degrees 13 minutes 06 seconds East 192.68 feet, (2) South 01 degrees 46 minutes 54 seconds East 25.00 feet and (3) North 88 degrees 13 minutes 06 seconds East 557.68 feet to the POINT OF BEGINNING. EXCEPT, COMMENCING at the SE corner of Section 35; thence South 88 degrees 13 minutes 06 seconds West 735.00 feet along the south line of Section 35; thence North 02 degrees 09 minutes 04 seconds West 460.08 feet; thence South 87 degrees 50 minutes 56 seconds West 273.51 feet to the POINT OF BEGINNING; thence along a curve to the right 54.98 feet, said curve having a radius of 35.00 feet, a central angle of 90 degrees 00 minutes 00 seconds and a chord bearing South 52 degrees 53 minutes 06 seconds West 49.50 feet; thence North 82 degrees 06 minutes 54 seconds West 231.33 feet; thence along a curve to the right 54.98 feet, said curve having a radius of 35.00 feet, a central angle of 90 degrees 00 minutes 00 seconds and a chord bearing North 37 degrees 06 minutes 54 seconds West 49.50 feet; thence North 07 degrees 53 minutes 06 seconds East 145.39 feet; thence along a curve to the left 45.40 feet, said curve having a radius of 65.00 feet, a central angle of 40 degrees 01 minutes 17 seconds and a chord bearing North 12 degrees 07 minutes 32 seconds West 44.49 feet; thence North 52 degrees 53 minutes 06 seconds East 56.77 feet; thence North 07 degrees 53 minutes 06 seconds East 31.58 feet; thence South 82 degrees 06 minutes 54 seconds East 296.50 feet; thence South 07 degrees 53 minutes 06 seconds West 37.00 feet; thence South 82 degrees 06 minutes 54 seconds East 21.00 feet; thence South 07 degrees 53 minutes 06 seconds West 43.17 feet; thence North 82 degrees 06 minutes 54 seconds West 21.00 feet; thence South 07 degrees 53 minutes 06 seconds West 7.00 feet; thence South 52 degrees 53 minutes 06 seconds West 38.93 feet; thence along a curve to the right 38.82 feet, said curve having a radius of 100.00 feet, a central angle of 22 degrees 14 minutes 39 seconds and a chord bearing South 03 degrees 14 minutes 14 seconds East 38.58 feet; thence South 07 degrees 53 minutes 06 seconds West 106.37 feet to the POINT OF BEGINNING. Said parcel contains 23.035 acres, more or less.

DESCRIPTION OF WATER MAIN EASEMENT

A 20.00 foot wide sanitary sewer easement lying 10.00 feet each side of and adjoining a line described as: COMMENCING at the Southeast corner of Section 35, Township 2 North, Range 11 East, City of Troy, Oakland County, Michigan; thence South 88 degrees 13 minutes 06 seconds West 735.00 feet along the south line of Section 35; thence North 02 degrees 09 minutes 04 seconds West 649.31 feet to the POINT OF BEGINNING; thence South 88 degrees 28 minutes 47 seconds West 146.54 feet; thence South 41 degrees 38 minutes 06 seconds West 98.64 feet; thence South 19 degrees 08 minutes 06 seconds West 87.03 feet; thence South 07 degrees 53 minutes 06 seconds West 63.16 feet; thence South 52 degrees 53 minutes 06 seconds West 17.44 feet to Point "A"; thence South 52 degrees 53 minutes 06 seconds West 31.39 feet; thence North 82 degrees 06 minutes 54 seconds West 240.84 feet to Point "B"; thence North 82 degrees 06 minutes 54 seconds West 31.45 feet; thence North 37 degrees 06 minutes 54 seconds West 48.82 feet; thence North 07 degrees 53 minutes 06 seconds East 168.01 feet to Point "C"; thence North 07 degrees 53 minutes 06 seconds East 14.99 feet; thence North 37 degrees 06 minutes 54 seconds West 41.34 feet; thence North 82 degrees 26 minutes 05 seconds West 30.20 feet; thence North 55 degrees 57 minutes 23 seconds West 161.80 feet to the west property line and the POINT OF ENDING. ALSO, BEGINNING at Point "A"; thence South 37 degrees 06 minutes 54 seconds East 16.28 feet to the POINT OF ENDING. ALSO, BEGINNING at Point "B"; thence South 07 degrees 53 minutes 06 seconds West 15.93 feet to the POINT OF ENDING. ALSO, BEGINNING at Point "C"; thence North 82 degrees 06 minutes 54 seconds West 15.00 feet to the POINT OF ENDING. Said easement contains 24,577 square feet or 0.56 acres, more or less.

April 13, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Steven Vandette, City Engineer 

SUBJECT: Agenda Item - Act 51 Mileage Certification for 2003

In accordance with the guidelines for adding streets to the annual road mileage certification for cities and villages, the following platted and non-platted streets require a resolution-accepting jurisdiction of the street from our governing body.

The following local streets within their respective platted subdivisions require a resolution:

Meadowlark
Ravenwood Court

Evanswood Parc
Estates of Cambridge

Non-platted streets require a centerline description for mileage certification. Engineering is currently working on these descriptions and they will be submitted to the state along with our resolution. The following non-platted streets require a resolution-accepting jurisdiction:

Amherst Court
Colleen
Edgewater
Hanover
Michael
Riverbend Court

Turner Site Condominiums
Colleen Meadows Site Condominiums
Sandalwood North Condominiums
Lot Splits
Lot Splits
Riverbend Site Condominiums

The City of Troy's allocation of Michigan Transportation Funds is based on the number of miles of road under City jurisdiction. All of the above-listed roads are under control of the City, open for public purposes, and are being maintained by the City. It is important that the foregoing roads be added to the Act 51 mileage report so that transportation funds can be properly allocated to the City of Troy.

Prepared by: G. Scott Finlay, P.E.
Civil Engineer

April 13, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Timothy L. Richnak, Public Works Director

SUBJECT: **Agenda Item** - Standard Purchasing Resolution 1: Award To Low Bidder –
60,000 GVW Tandem Catch Basin Cleaner - Less Trade-In

RECOMMENDATION

Bid proposals were opened March 17, 2004, to furnish one 60,000 GVW Tandem Axle Catch Basin Cleaner less trade-in. City management recommends a contract be awarded to the low total bidder, Jack Doheny Supplies, Inc. of Northville, MI, at a cost of \$198,500.00 less the trade-in of \$30,000.00, for an estimated net total cost of \$168,500.00.

SUMMARY

The bid was awarded on a low total basis because the best prices are received on a net sale. A vendor will use the profits from the purchase of the new machine to rebuild and recondition the old equipment, in order to maximize the sale on the equipment trade-in.

The new unit will replace the 1994 Vac-All due to come out of service. The debris box and filter screens on the old unit have rusted through from wear and tear; and it has become increasingly more difficult to acquire replacement parts in a timely manner. This piece of equipment is used to clean approximately 6000 catch basins throughout the city to allow water to flow freely through the storm system and help alleviate the stagnation of water, which in turn will reduce the breeding areas for mosquito larvae.

The new unit has a Sterling cab and chassis, Model LT7501 with a Vactor Model 2115-CB catch basin cleaning module. In addition to the standard warranty, Vactor warranties the water tank for ten (10) years and the debris tank for five (5) years against rust through or corrosion. The centrifugal compressor and housing is warranted for five (5) years against rust through and compressor malfunction.

BUDGET

Funds for this equipment are currently available in the Vehicle Fleet Maintenance Capital Account #565.7981.

30 Vendors Notified on the MITN System

2 Bid Responses Rec'd

1 No Bid: (1) Company wasn't interested at this time; nor would the company's schedule permit performance of the specifications.

Opening Date -- 3-17-04
Date Prepared -- 4/8/04

CITY OF TROY
BID TABULATION
ONE 60,000 GVW CATCH BASIN CLEANING MACHINE

ITB-COT 04-01
Pg 1 of 1

VENDOR NAME:		* JACK DOHENY	BURKE		
		SUPPLIES INC	EQUIPMENT INC		
		UNIT PRICE	UNIT PRICE		
QTY	DESCRIPTION				
1	60,000 GVW TANDEM CATCH BASIN CLEANING MACHINE LESS OPTIONAL TRADE-IN, IN ACCORDANCE WITH SPECIFICATIONS				
COMPLETE FOR THE SUM OF:		\$ 198,500.00	\$ 193,084.35		
QUOTING ON:		VACTOR 2115-CB			
MANUFACTURED BY:		STERLING LT7501	MODEL V-316CLH		
LESS: OPTIONAL TRADE-IN		VACTOR / FREIGHTLINER	VAC-CON		
1	1994 FORD LT 8000 TANDEM AXLE 16 YARD VAC-ALL, CITY ID #416	\$ (30,000.00)	\$ (24,000.00)		
NET TOTAL:		* \$ 168,500.00	\$ 169,084.35		
ATTACHMENTS ON ABOVE ITEM (Y-Yes, N-No)		YES	YES		
LOANER: Company can supply Company cannot supply		XX	BLANK		
LOCATION:		777 DOHENY CT	36000 MOUND		
No. of Miles from Troy		26	6		
TERMS:		NET 30 DAYS	NET 30		
WARRANTY:		AS SPECIFIED	AS SPECIFIED		
DELIVERY DATE:		120-180 DAYS	120-150 DAYS		
EXCEPTIONS:		NO EXCEPTIONS	BLANK		
		ATTACHED TO	LISTED IN SPECS		
		BID			
ACKNOWLEDGEMENT: Completed Y or N		YES	YES		

NO BIDS:
Bell Equipment Company

* DENOTES LOW TOTAL BIDDER

ATTEST:
Charlene McComb
Samuel Lamerato
Linda Bockstanz

Jeanette Bennett
Purchasing Director



Downloading History for ITB-COT 04-01 GVWMachine

The report below shows all fax and e-mail vendors that matched this document when it was originally issued. It also shows all vendors that have downloaded or ordered the document and any subsequent amendments as of 4/13/2004.

Document Title:	One - 60,000 GVW Catch Basin Cleaning Machine
Date Issued:	2/23/2004
Close Date:	3/17/2004

Click on the table headings for "Account Number" or "Company name" to re-sort this report by that column. You may also click on any vendor account number to view their account information.

Acct #	Company Name	Service	Date Obtained Document	Date Obtained Amendments
16428	A. LILIA'S MAINTENANCE, INC.	Fax	3/11/2004	
12590	All Type Truck and Trailer Repair, Inc	E-mail		
13555	Automotive Service Co.	E-mail		
11715	Bell Equipment Company	Free	2/24/2004	
12903	Bennett Design and Fabrication LLC	E-mail		
14948	Biloxi Paper Company	Free	3/17/2004	
12619	Blast & Vac Inc	E-mail	3/10/2004	
12836	Burke Equipment Co	E-mail	2/24/2004	
16091	Clean-White Inc.	Free	2/26/2004	
10666	Cloverleaf Tool Co.	E-mail		
16393	Doetsch Industrial Services	E-mail	3/9/2004	
12889	Downriver Maintenance Corporation	E-mail	3/3/2004	
11435	Ed Schmid Ford, Inc.	E-mail	2/25/2004	
11677	Garber Chevrolet	Free	2/25/2004	
16188	GRAFF TRUCK CENTER	E-mail	2/25/2004	
10112	Great Lakes Service & Supplies, Inc.	E-mail	3/11/2004	
11766	HES STALLINGS-JULIEN SALES & SERVICE	E-mail		
13023	Jack Doheny Supplies, Inc.	E-mail	3/16/2004	
10721	KIRK'S AUTOMOTIVE INC	E-mail		
14281	Motor City Ford Truck, Inc.	E-mail	2/25/2004	
13429				

	Multi-Source	E-mail		
11297	NBC TRUCK EQUIPMENT	Free	3/15/2004	
14247	North River Truck & Trailer	E-mail		
14504	Reefer Peterbilt	E-mail	3/8/2004	
16245	ROSE EXTERMINATOR CO.	Free	3/1/2004	
13730	SMART Management Group, LLC	E-mail		
11555	Tri-County Cleaning Supply, Inc.	E-mail		
11132	Tri-County International Trucks Inc.	E-mail	3/3/2004	
15327	Vac-Tron Equipment (Vactron)	E-mail	3/5/2004	
11889	Wink Chevrolet Company	E-mail	2/24/2004	

[Return to Main Menu](#)

[Return to Report Menu](#)

DATE: April 14, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Timothy L. Richnak, Public Works Director

SUBJECT: Agenda Item – Announcement of Public Hearing – Community Development Block Grant (CDBG) Re-programming of Year 2002 Funds

This memorandum is being forwarded for consideration on scheduling a Public Hearing for May 3, 2004 to re-program Troy's Community Development Block Grant unexpended year 2002 funds as detailed below.

Existing (From):

Account #	Activity Description	Amount
2696	Flood Drain Improvements	\$16,000.00

Proposed (To):

Account #	Activity Description	Amount
3616	Special Assessment	\$16,000.00

Reprogramming year 2002 CDBG funds will allow us to be reimbursed for the special assessment cost of asphalt paving for Walnut Hill and Chestnut Hill Streets.

DATE: April 13, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Steve Vandette, City Engineer
Mark F. Miller, Planning Director

SUBJECT: FINAL SITE CONDOMINIUM REVIEW – Sussex (fka Freund) Site Condominium, East Side of Adams Road, South of Square Lake Road, Section 7 – R-1A.

RECOMMENDATION

City Council granted Preliminary Site Condominium Plan Approval, with a private road system, on March 3, 2003. The Engineering Department granted approval of the engineering plans based upon the City's Development Standards; therefore, the development will not cause or exacerbate drainage problems on contiguous properties, due to surface run-off from the proposed development. In addition, the petitioner executed a contract for installation of municipal improvements and provided the required escrow deposits and cash fees. However, City Council should approve the contract before granting final approval of the site condominium. The proposed site condominium complies with all applicable ordinance requirements. City Management recommends approval of the Final Plan for Sussex Site Condominium.

GENERAL INFORMATION

Name of Owner / Applicant:
Ken Freund.

Location of subject property:
The property is located on the east side of Adams Road, south of Square Lake Road and north of Long Lake Road, Section 7.

Size of subject parcel:
4.034 acres.

Description of proposed development, including number and density of units:
The applicant is proposing a total of 6 single family units, a density of approximately 1.48 units per acre.

Current use of subject property:
The parcel is presently vacant.

Current use of adjacent parcels:

North: Single family residence.

South: Single family residential and St. Stephen Episcopal Church.

East: Single family residential.

West: Beautiful Savior Lutheran Church (Bloomfield Township).

Current zoning classification:

The property is currently zoned R-1A One Family Residential.

Zoning classification of adjacent parcels:

North: R-1A One Family Residential.

South: R-1A One Family Residential.

East: R-1A One Family Residential.

West: The property across Adams is located in Bloomfield Township. The property is designated as R-3 One Family Residential.

Future Land Use Designation:

The property is designated on the Future Land Use Plan as Low Density Single Family Residential.

ANALYSIS

Compliance with area and bulk requirements:

Lot Area: The minimum lot size in the R-1A district is 19,602 square feet (with sewer) using the Lot Averaging Option. The applicant meets this requirement.

Lot Width: The minimum lot width is 108 feet using the Lot Averaging Option. The applicant meets this requirement.

Height: Structures in the site condominium cannot exceed 2 ½ stories or 25 feet in height.

Setbacks: The applicant meets the following requirements:
Front: 40'.
Rear: 45'.
Side: 15' (least), 30' (total).

Minimum Floor Area: The principal structures in the site condominiums cannot be less than 1,400 square feet in area.

Maximum Lot Coverage: Lot coverage cannot exceed 30%.

The applicant meets the area and bulk requirements for the R-1A district.

Off-street parking and loading requirements:

The applicant will be required to provide 2 off-street parking spaces per unit.

Environmental provisions, including Tree Preservation Plan:

The applicant has submitted a Tree Preservation Plan that has been approved by the City's Landscape Analyst.

Stormwater detention:

The applicant is proposing to reconstruct a detention basin that is partly on a separate parcel south of the development. This will serve as a regional detention basin since it will include off site flow as well as flow from the proposed development. The applicant will dedicate that portion of the detention basin that is presently on his property to the City of Troy for maintenance purposes. A portion of the required detention basin is located on the neighboring property to the south. The applicant is required to dedicate an easement to the City of Troy so that this portion of the detention basin can also be accessed and maintained by the City.

Natural features and floodplains:

A Wetland Determination and Determination of Jurisdiction was prepared by Brooks Williamson and Associates, Inc. and submitted with the site plan application. The report indicates that there are non-regulated wetlands on the parcel (see attached).

Environmental Standards:

The proposed site condominium is less than 25 lots and does not require a Preliminary Environmental Impact Statement.

The development abuts a major thoroughfare (Adams Road). The yard setback for units abutting Adams Road is 50'.

Subdivision Control Ordinance, Article IV Design Standards:

Blocks:

The Jennie Court cul-de-sac is 270' long, which does not exceed maximum length requirements.

Lots:

Lot sizes and widths comply with the Zoning Ordinance.

Easements:

The applicant is required to provide an easement to the City of Troy for the portion of the detention basin located on the neighboring property to the south. The applicant is required to provide a 15' wide non-access greenbelt easement along Adams Road. The applicant is proposing a 40-foot wide private road easement and the corresponding utility and sidewalk easement.

Topographic Conditions:

There are no floodplains on the parcel.

Streets:

The proposed street complies with City standards, by providing a 28-foot wide private road within a 40-foot wide easement.

Sidewalks:

The applicant is required to construct an 8-foot wide sidewalk on the east side of Adams Road and a 5-foot wide sidewalk along both sides of Jennie Court. The applicant is required to construct a 5-foot wide sidewalk along Devonwood Street. The applicant may apply for a waiver from this requirement, given that there are no existing or proposed sidewalks on Devonwood Street.

Walkways:

There are no walkways proposed for this development.

Utilities:

The development will be served by public water and sewer.

Attachments:

1. Maps
2. Comparison between Site Condominiums and Plats
3. Unplatted Residential Development Levels of Approval

cc: File/Sussex (fka Freund) Site Condominium
Applicant
Planners (4)

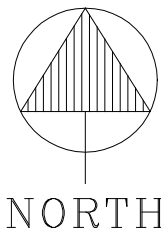
CITY OF TROY



ADAMS ROAD

SITE PLAN REVIEW
Sussex Site Condominium

RETENTION AREAS
To be Deeded to City



- REPRESENTS NON-RES. STRUCTURE OF NEWER CONSTRUCTION,
IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES
ON SITE OR LAYOUT OF STRUCTURES

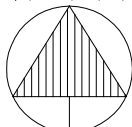
- REPRESENTS DWELLING UNIT OF NEWER CONSTRUCTION,
IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES
ON SITE OR LAYOUT OF STRUCTURES

ADAMS ROAD

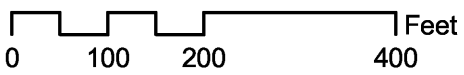


SITE PLAN REVIEW
Sussex Site Condominium

RETENTION AREAS
To be Deeded to City



NORTH



COMPARISON BETWEEN SITE CONDOMINIUMS AND PLATS

The site condominium is a form of development that closely resembles the more traditional form of land subdivision known as a “subdivision” or a “plat”. Although both types of development have the same basic characteristics, site condominiums are a newer form of development and are not, therefore, as familiar to homebuyers and neighbors as the more customary plats. An important concept related to any type of condominium development is that condominiums are a form of OWNERSHIP, not a type of physical development.

The following summary is intended to compare and contrast the two types of development.

1. Comparisons between site condominiums and plats.

- a. **Statutory Basis** – Site condominium subdivisions first became possible under the Michigan Condominium Act, which was adopted by the Michigan Legislature in 1978. Plats are created under the Michigan Land Division Act, formerly the Michigan Subdivision Control Act of 1967.
- b. **Nature and Extent of Property Ownership** – An individual homesite building in a platted subdivision is called a “lot”. In a site condominium, each separate building site or homesite is referred to by the Condominium Act as a “unit”. Each unit is surrounded by “limited common area”, which is defined as common elements reserved in the master deed for the exclusive use of less than all of the co-owners”. The remaining area in the site condominium is “general common area”, defined as the common elements reserved in the master deed for the use of all of the co-owners. The nature and extent of ownership of a platted lot and a condominium unit, with the associated limited common area, are essentially equivalent from both a practical and legal standpoint.
- c. **Compliance with Zoning Ordinance** – Both site condominiums and subdivisions are required to comply with the minimum requirements of the City of Troy Zoning Ordinance for area and bulk, including minimum lot size, lot width, setbacks and building height. Essentially, site condominiums and subdivisions in Troy must “look” similar.
- d. **Creation/Legal Document** – A site condominium is established by recording in the records of the county in which the land is located a master deed, bylaws and condominium subdivision plan (“plan”). A platted subdivision is created by the recording of a subdivision plat (“plat”), usually coupled with a declaration of easements, covenants, conditions and restrictions. The plan depicts the condominium units and limited and general common areas, while the plat defines the lots. Both have

substantially the same geometrical appearance and characteristics. The master deed and bylaws on the one hand and the declaration on the other have essentially the same functions with respect to the site condominium or platted subdivision, namely, establishment of: (i) building and use restrictions; (ii) rights of homeowners to use common areas; (iii) financial obligations of owners; and, (iv) procedures for operation of the subdivision.

- e. **Home Maintenance and Real Estate Taxes** – Each unit and lot, as respectively depicted on a condominium plan or subdivision plat, together with any home located thereon, are required to be individually maintained by the owner. Likewise, separate real estate taxes are assessed on each condominium unit or platted lot and paid individually by each homeowner.
- f. **Roads and Utilities** – In most plats, roads are dedicated to the public and maintained by the county road commission or the municipality in which the subdivision is located. Site condominium roads can be either public or private. Sanitary sewer and water supply are public in both. Storm water detention can vary between public and private dedication in both platted and condominium subdivisions.
- g. **Common Areas** – In a site condominium, general common areas, such as open space, entrance areas and storm drainage system, are owned by condominium unit owners in common as an incident of ownership of each unit. In a platted subdivision, legal title to common areas is owned by a homeowners association. In both forms of development, a homeowners association administers the common areas for the benefit of all homeowners equally.
- h. **Homeowners Association** – It is important in both types of development to incorporate a homeowners association comprised of all lot owners or unit owners, as the case may be, to maintain common areas, enforce restrictions and regulations, collect assessments and otherwise administer the common affairs of the development. Because the Condominium Act confers special enforcement powers upon homeowner associations, which are not characteristic of platted subdivision associations, it is generally thought that the condominium form is superior from the standpoint of enforcing rules and regulations of the private community.
- i. **Financial Obligations of Homeowners** – In both types of development, the homeowners association is given the power to assess property owners to pay for maintenance of all common areas and other expenses of administration. Failure to pay give rise to a lien on the defaulting owner's homesite thus providing financial security that the common areas will be properly maintained for the benefit of all homeowners.

- j. **Public Relations** – The same types of public health, safety and welfare regulations apply to both forms of development. Procedurally, the methods of applying for and obtaining plat or condominium plan approval are similar at the municipal level.
- k. **Unique Characteristics of Condominium Unit Purchase** – The Condominium Act provides special benefits for site condominium unit purchasers: (i) a 9-day period after signing a purchase agreement within which a purchaser may withdraw without penalty; and (ii) a requirement that all condominium documents, supplemented by an explanatory disclosure statement, be furnished to all purchasers at the time of entry into a purchase agreement. There are no similar benefits to purchasers provided under the Land Division Act.
- l. **Local and State Review** – Both development types require City Council approval, following a recommendation by the Planning Commission. Unlike subdivisions, site condominiums do not require the review and approval of the Michigan Department of Consumer and Industry Services. For this reason it can sometimes take a substantially shorter period of time to obtain necessary public approvals of site condominiums than platted subdivisions.

2. Reason for choosing one form versus another.

Developers and municipalities often prefer the site condominium approach because of better control of market timing. It should be emphasized that the site condominium choice never sacrifices any public protections that would otherwise be present in the case of a platted subdivision under similar circumstances.

3. Conclusion.

The platted subdivision approach and the newer site condominium technique are two different statutory methods of reaching essentially the same practical and legal result of subdividing real estate into separate residential building sites. Both methods are required to meet substantially the same public health, safety and welfare requirements. The site condominium is sometimes chosen over the platted subdivisions because of perceived benefits to purchasers, homeowners, and developers.

UNPLATTED RESIDENTIAL DEVELOPMENT LEVELS OF APPROVAL

Preliminary Plan Approval

A sign is placed on the property informing the public of the proposed development.

Adjacent property owners are notified by mail

Public meeting held by **Planning Commission** for review and recommendation to City Council

City Council reviews and approves plan

The following items are addressed at Preliminary Plan Approval:

- Street Pattern, including potential stub streets for future development
- Potential development pattern for adjacent properties
- Fully dimensioned residential parcel layout, including proposed building configurations
 - Number of lots
 - Building setbacks
 - Lot dimensions
 - Locations of easements
- Preliminary sanitary sewer, storm sewer, and water main layout
- Environmental Impact Statement (if required)
- Location(s) of wetlands on the property

Final Plan Approval

Notice sign is posted on site

City Council review and approval of:


- Final Plan
- Contract for Installation of Municipal Improvements (Private Agreement)

The following items are addressed at Final Plan Approval:

- Fully dimensioned plans of the total property proposed for development, prepared by registered Civil Engineer or Land Surveyor
- Corners of all proposed residential parcels and other points as necessary to determine that the potential parcels and building configurations will conform with ordinance requirements
- Warranty Deeds and Easement documents, in recordable form for all ROW. and easements which are to be conveyed to the public
- Construction plans for all utilities and street improvements, prepared in accordance with City Engineering Design Standards:
 - Sanitary and Storm sewer
 - Water mains
 - Detention / Retention basins
 - Grading and rear yard drainage
 - Paving and widening lanes
 - Sidewalk and driveway approaches
- Approval from other government agencies involved with the development
- Verification of wetlands and M.D.E.Q. permit if necessary
- Financial guarantees to insure the construction of required improvements and the placement of proper property and parcel monuments and markers shall be furnished by the petitioner prior to submittal of the Final Plan to the City Council for review and approval
- Floor Plans and Elevations of the proposed residential units

April 13, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Steven J. Vandette, City Engineer 

SUBJECT: Water Main Replacement Work as part of RCOC Maple Road Project
Project No. 03.501.5

RECOMMENDATION

It is recommended that City Council approve the attached quote from Cadillac Asphalt for water main replacement work along John R and Maple as part of the Maple Road, Livernois to Dequindre reconstruction project scheduled to start on April 19, 2004. The price quoted for this work is \$131,443.84. A formal cost participation agreement with the RCOC will be presented at a future City Council meeting.

In addition, we are requesting authorization to approve additional work, if needed, not to exceed 10% of the original quote.

PROJECT INFORMATION

The Road Commission for Oakland County (RCOC) awarded a contract to reconstruct Maple Road, from Coolidge to Dequindre to Cadillac Asphalt, LLC. The project is to be constructed in two phases. Phase I will rehabilitate Maple Road between Livernois and Dequindre this year and Phase II will rehabilitate Maple Road between Coolidge and Livernois in 2005. Phase I includes the total reconstruction of the John R and Maple Road intersection.

The City's Water Fund budget for 2003-04 includes a project along John R, from Maple to Birchwood which is primarily within the limits of the RCOC intersection reconstruction area. The water main in this area is in very poor condition and has been repaired several times by the Water Department. Staff requested that the contractor provide the City with a quote to complete the water main replacement as part of the road project so that one contractor would be working in the area to minimize delays and conflicts. In addition, with the RCOC contractor completing the work additional costs due to contractor mobilization and pavement rework will be eliminated. The existing 8" water main will be abandoned and all connections will be transferred to the existing 24" water main. A future project will continue the abandonment of the existing 8" water main north of Birchwood.

FUNDING

Funds for this work are included in the 2003/04 Water Fund, account number 555.7972.035015. The budgeted amount includes funds for construction, inspection and contingencies.

Cadillac Asphalt, L.L.C.

4751 White Lake Road • Clarkston, MI 48346
Phone: (248) 625 5891 • Fax: (248) 625-8587

April 12, 2004

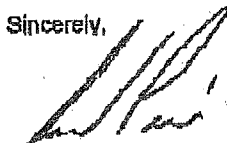
Road Commission for Oakland County
2420 Pontiac Lake Rd
Waterford, MI 48328

Re: Watermain Work on Maple, STU 63459-56310A

Dear Mr. Mike Torres:

Attached are the proposed prices for the watermain work requested by the City of Troy. I have also included the contract items that would be necessary to complete this work. The quantities given include extending the northern limit of John R. beyond the northern-most watermain crossing. The unit rates provided for the removals, concrete paving, etc. are consistent with our contract prices. A prime mark-up of 6% is included in the unit rates for the watermain items. Please forward this on to all concerned parties. If the prices are approved, we would like to begin work on April 19th, in an attempt to keep stay as close to the original progress schedule dates. Please feel free to contact me at 248-620-7952 with any questions or concerns.

Sincerely,



Aaron Price
Area Manager

Cadillac Asphalt, L.L.C.

2751 White Lake Road • Clawson, MI 48046
 Phone: (248) 625-5091 • Fax: (248) 625-6567

Attn: Mike Torres/RCOC

RE: Additional Work on Maple Rd.

This letter is regarding a price quote for the above mentioned project and is based on the plans and specifications provided.


Description	Unit	Quantity	Unit Price	Amount
Watermain Work				
1. 24"X12" TSV & Well	ea	2	\$ 13,084.60	\$ 26,169.00
2. 12" DI w/ Polywrap	lf	470	\$ 78.10	\$ 36,707.00
3. Conn. To Existing Watermain	ea	4	\$ 2,209.50	\$ 8,838.00
4. 12" Gate Valve and Well	ea	3	\$ 4,053.50	\$ 12,160.50
5. Remove Hydrant	ea	1	\$ 359.70	\$ 359.70
6. Hydrant Assembly	ea	1	\$ 3,033.80	\$ 3,033.80
7. Remove 8" Watermain	lf	160	\$ 27.50	\$ 4,400.00
8. Remove and Abandon Gatewell	ea	2	\$ 724.90	\$ 1,449.80
9. 2" Blow off Assembly	ea	4	\$ 569.80	\$ 2,279.20
10. Cold Patch	tons	60	\$ 137.50	\$ 8,250.00
11. Flag Control	ls	1	\$ 3,300.00	\$ 3,300.00
12. Pavement Removal	sy	231	\$ 11.00	\$ 2,541.00
Additional Contract Items				
0060 Curb and Gutter Removal	lf	110	\$ 6.10	\$ 671.00
0100 Pavement Removal	sy	432	\$ 3.87	\$ 1,671.84
0110 Embankment, O.P.	cy	10	\$ 3.00	\$ 30.00
0200 Agg Base, 21AA Mod, 10"	sy	432	\$ 6.45	\$ 2,786.40
0520 Underdrain, 6" Mod.	lf	110	\$ 7.42	\$ 816.20
0640 Conc. Pavt, 10"	sy	432	\$ 30.90	\$ 13,348.80
0660 Joint Contraction, W	lf	500	\$ 2.36	\$ 1,180.00
0730 Pavement Sawing, Full Depth	lf	1000	\$ 1.45	\$ 1,450.00
			TOTAL	\$ 131,443.84

If you have any questions or need additional information please feel free to contact me at any time.
 (248) 386-7414

Sincerely,


 Aaron Price
 Project Manager
 Cadillac Asphalt

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager-Finance and Administration 

RE: Troy Fire Incentive Plan for Volunteer Firefighters

DATE: March 29, 2004

The committee of representatives from the volunteer stations and members of administration have met on three occasions to negotiate improvements to the current Incentive Plan and request that City Council consider a three-year agreement as follows:

The current Incentive Plan provides for a benefit of \$498.00 per year of service.

Effective January 1, 2005 - \$518.00 per year of service for new retirees, \$10.00 per month increase for current retirees.

Effective January 1, 2006 - \$539.00 per year of service for new retirees, \$10.00 per month increase for current retirees.

Effective January 1, 2007 - \$560.00 per year of service for new retirees, \$10.00 per month increase for current retirees.

In order to determine what effect these changes would have on our annual contribution, a supplemental actuarial valuation was performed by our actuaries. The net effect of these provisions would increase our annual contribution by approximately \$126,132 per year.

The following resolution is recommended to adopt these revisions:

Resolved, That the City of Troy Incentive Plan for Volunteer Firefighters, as amended, be adopted to increase the amount of incentive payments to \$518.00 per year of service for those members retiring on or after January 1, 2005; \$539.00 per year of service for those members retiring on or after January 1, 2006; \$560.00 per year of service for those members retiring on or after January 1, 2007; and a \$10.00 per month increase for current retirees for the next three years beginning in January, 2005.

c: Bill Nelson
Peggy Clifton

**CITY OF TROY INCENTIVE PLAN FOR VOLUNTEER FIREFIGHTERS
SUPPLEMENTAL ACTUARIAL VALUATIONS
AS OF DECEMBER 31, 2002**

REQUESTED BY: Mr. John Lamerato, Assistant City Manager - Finance

DATE: February 17, 2004

SUBMITTED BY: Brad Lee Armstrong, ASA, EA, MAAA
Gabriel, Roeder, Smith & Company

This report contains an actuarial valuation of changes in plan provisions for Volunteer Firefighters covered by the City of Troy Incentive Plan For Volunteer Firefighters.

The date of valuation was December 31, 2002. This means that the results of the supplemental valuations indicate what the December 31, 2002 valuation would have shown if the proposed plan changes had been in effect on that date.

Data, actuarial assumptions and methods were consistent with those used in the regular actuarial valuation of the retirement plan on the valuation date except for the following: 1) The 2004 present annual amount of \$498 per year of incentive service was used. 2) It was assumed that 50% of deaths in active service would be duty related. 3) For purposes of evaluating the effect of the proposed disability benefit, we incorporated a disability incidence table.

A brief summary of the active data used in these valuations is presented below:

Active Volunteer Firefighters		
Number	Average in Years	
	Age	Service
162	40.6	11.4

**CITY OF TROY INCENTIVE PLAN FOR VOLUNTEER FIREFIGHTERS
SUPPLEMENTAL ACTUARIAL VALUATION
AS OF DECEMBER 31, 2002**

Proposal: Cost of Living Increase for Retired Members

Proposed Increase:

Annual Amount – A \$10 per month increase in each current payment for the next three years (\$30 total monthly increase after three years).

Actuarial Statement

The effect of the proposed change on computed employer contributions is shown below:

Contribution for	Regular Valuation	Proposal	Total Cost
Normal Cost			
Total	\$287,490	\$287,490	\$ 0
Accrued Liabilities			
Present recipients	2,254,524	2,459,251	204,727
Active participants and vested former participants	8,033,581	8,033,581	0
Total	10,288,105	10,492,832	204,727
Amortization of UAL over 25 years	\$362,805	\$379,066	\$16,261
City's Total Annual Contribution	\$650,295	\$666,556	\$16,261

**CITY OF TROY INCENTIVE PLAN FOR VOLUNTEER FIREFIGHTERS
SUPPLEMENTAL ACTUARIAL VALUATION
AS OF DECEMBER 31, 2002**

Proposal: Increase Incentive Payments

Present Provisions:

The annual incentive payment under normal payment conditions in 2004 is \$498 per year of incentive service.

Proposed Provisions:

The annual incentive payment under normal payment conditions in 2004 is **\$498** per year of incentive service *for current active participants*, increasing 4% per year for the next 3 years.

Actuarial Statement

The effect of the proposed change on computed employer contributions is shown below:

Contribution for	Regular Valuation	Proposal	Total Cost
Normal Cost			
Age and service payments	\$ 287,490	\$ 323,387	\$ 35,897
Accrued Liabilities			
Present recipients	2,254,524	2,254,524	0
Active participants and vested former participants	8,033,581	8,964,914	931,333
Total	10,288,105	11,219,438	931,333
Amortization of UAL over 25 years	\$ 362,805	\$ 436,779	\$ 73,974
City's Total Annual Contribution	\$ 650,295	\$ 760,166	\$ 109,871

City of Troy Incentive Plan for Volunteer Firefighters

Definitions

- 1.1 "City" means the City of Troy, Michigan
- 1.2 "Plan" means the City of Troy Incentive Plan for Volunteer Firefighters established by resolution of the City Council and contained herein.
- 1.3 "Participant" means an individual who is a participant in the Plan.
- 1.4 "Vested former participant" means a former participant who has ten or more years of incentive service.
- 1.5 "Incentive service" means personal service rendered by the City as a volunteer firefighter and credited a participant in accordance with this plan.

Participation

- 2.1 Each volunteer firefighter of the City shall be a participant in the Plan.
- 2.2 Participation shall terminate upon termination of duties as a volunteer firefighter.

Incentive Service

- 3.1 A participant shall be credited with one month of incentive service for each complete calendar month the participant is a volunteer firefighter on active duty. Service shall be totaled in years and months.
- 3.2 Incentive service shall be forfeited five years after the date an individual ceases to be a participant unless the former participant is vested OR returns to active duty for ten consecutive years.

Incentive Payments

- 4.1 A vested former participant, upon written application filed with the City, shall be eligible to be paid incentive payments after attainment of age 60. The incentive payment due a vested former participant shall be determined at the time he terminates participation, as provided in the plan that is in effect on that date.

- 4.2 Incentive payments shall be made in monthly installments on the last day of each month during the life of the vested former participant.
- 4.3 The amount of each annual incentive shall be equal to the following amounts:

\$518/year, retiring on or after January 1, 2005
\$539/year, retiring on or after January 1, 2006
\$560/year, retiring on or after January 1, 2007

- 4.4 Prior to the date of his first incentive payment, but not thereafter, a vested former participant may elect to receive his incentive payment payable throughout his life; or, he may elect to receive the actuarial equivalent at that time; or, his incentive payment in a reduced amount payable throughout his life, and nominate a beneficiary, in accordance with the provisions of the Options as set forth below:

Option A - Upon the death of a vested former participant, who elected Option A, his reduced incentive payment shall be continued throughout the life of and paid to such person having an insurable interest in his life, as he shall have nominated; or,

Option B - Upon the death of a vested former participant, who elected Option B, one-half of his reduced incentive payment shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated.

Option C - Joint and Survivor Pension (pop-up A): Upon the death of a vested former participant who elected Option C, his reduced incentive payment shall be continued through the life and paid to such person having an insurable interest in his life, as he shall have nominated. If the selected beneficiary predeceases the participant, the incentive payment shall revert to a straight-life payment payable throughout the remainder of his life.

Option D - Modified Joint and Survivor Pension (pop-up B): Upon the death of a vested former participant who elected Option D, one-half of his reduced incentive payment shall be continued throughout the life of and paid to such person having an insurable interest in his life, as he shall have nominated. If

the selected beneficiary predeceases the participant, the incentive payment shall revert to a straight-life payment payable throughout the remainder of his life.

Option E - Lump-Sum Payout: Equal to the present value of all benefit payments under Option A computed using the applicable group annuity mortality table and interest rate compounded annually.

- 4.5 In the event a participant dies who has ten or more years of incentive service, his widow shall receive an incentive payment computed in the same manner in all respects as if the participant had retired the day preceding his death, elected Option A, and nominated his spouse as beneficiary.
- 4.6 A participant may elect to receive payment upon his termination as a participant based on the following:
- Ten years of service and age 55;
 - Twenty-five or more years of service and has attained 50 years of age;
 - A participant having attained 30 years of service regardless of age.

Administration

- 5.1 The City may, as a means of making provision for the potential financial obligations of the Plan, purchase securities or make deposits in interest-bearing accounts from its general assets. Any securities purchased or deposits made shall at all times be part of the general assets of the City. The purchase of securities or the making of deposits shall not of themselves entitle any individual to any right or claim for incentive payments under the Plan.
- 5.2 Nothing in this plan shall be construed as creating a trust fund for the participants or otherwise make the participants an equitable owner of or have any claim against any assets of the City.

Amendment and Termination

- 6.1 The City reserves the right to amend or terminate the plan at any time. No such amendment or termination shall affect the amount of any incentive payment made prior to the date of the amendment or termination. Upon

termination, the City shall be free of any liability for incentive payments which otherwise would become payable after the date of termination.

Miscellaneous

- 7.1 Each participant shall be deemed to have assented to the terms and conditions of the Plan. An individual may not sell, assign or hypothecate, in any manner, all or any part of the individual's potential payments under the Plan.
- 7.2 Nothing in this Plan shall in any way affect the rights of the City or a participant to terminate the volunteer firefighter relationship between them.

March 30, 2004

DATE: April 15, 2004

TO: John Szerlag, City Manager

FROM: Gary Shripka, Assistant City Manager/Services
Mark F. Miller, Planning Director

SUBJECT: PRELIMINARY SITE CONDOMINIUM REVIEW – Hidden Forest Site Condominium, south side of Wattles, east of Livernois, section 22 – R-1C.

RECOMMENDATION

On March 9, 2004, the Planning Commission recommended approval of the Preliminary Site Condominium as shown on Sheet CE, which provides a vehicular connection to Troywood. However, it is further recommended that a temporary turnaround and a barricade be constructed. The barricade should then be removed in the future when Troywood is improved from a gravel street to a paved street. City Management concurs with the Planning Commission recommendation.

It must be noted that the applicant prefers the layout shown on Sheet CE2A, which provides an emergency access drive and walkway connection to Troywood. This petitioner preferred design includes a proposed road that terminates with a cul-de-sac. Both designs have 34 units proposed.

GENERAL INFORMATION

Name of Owner / Applicant:
Gary Abitheira.

Location of subject property:
The property is located on the south side of Wattles, east of Livernois in section 22.

Size of subject parcel:
The parcel is approximately 16.97 acres in area.

Description of proposed development:
The applicant has provided two alternative layouts. Both alternatives yield 34 units on 16.97 acres, which represents a density of 2 units per acre.

Sheet CE2A represents the applicant's preferred layout. This layout provides an emergency access drive/walkway connection with Troywood to the southeast.

The Planning Commission and City Management prefer the layout shown on Sheet CE2. This layout provides a vehicular connection to Troywood. This inter-connection will allow residents of the site condominium to drive to Wattles Elementary School without having to drive on major thoroughfares to do so. However, until Troywood is paved and sidewalks are provided, a temporary turn around and barricade will be provided.

Current use of subject property:

The property is presently vacant.

Current use of adjacent parcels:

North: Single family residential and vacant.

South: McColloch Drain (City of Troy) and Wattles Elementary School.

East: Single family residential.

West: Single family residential and McColloch Drain (City of Troy).

Current zoning classification:

The property is currently zoned R-1C One Family Residential.

Zoning classification of adjacent parcels:

North: R-1C One Family Residential.

South: R-1C One Family Residential.

East: R-1C One Family Residential.

West: R-1C One Family Residential.

Future Land Use Designation:

The property is designated on the Future Land Use Plan as Low Density Residential.

ANALYSIS

Compliance with area and bulk requirements (including the lot averaging option):

Lot Area: 10,500 square feet (9,450 square feet with lot averaging).

Lot Width: 85 feet (76.5 feet with lot averaging).

Height: 2 stories or 25 feet.

Setbacks: Front: 30 feet.

Side (least one): 10 feet.
Side (total two): 20 feet.
Rear: 40 feet.

Minimum Floor Area: 1,200 square feet.

Maximum Lot Coverage: 30 %.

The applicant meets the area and bulk requirements.

Off-street parking and loading requirements:

The applicant will be required to provide 2 off-street parking spaces per unit.

Environmental provisions, including Tree Preservation Plan:

A Tree Preservation Plan was submitted as part of the application.

Stormwater detention

The applicant is proposing to provide on-site detention in the southeast corner of the development. The detention pond will have a 1 on 6 slope and will be unfenced, and dedicated to the City.

Natural features and floodplains:

The Natural Features Map indicates that there are wetlands, woodlands and a drain located on the property. A Wetland Evaluation was conducted on the parcel by Brooks Williamson and Associates, Inc. on November 24, 2003. The report indicates there are 3 State-regulated wetlands on the parcel. One of these wetlands is located in the northwest corner of the parcel, the other two are located in the southern portion of the parcel. In addition there is floodway and 100 year floodplain located on the subject property.

Subdivision Control Ordinance, Article IV Design Standards

Blocks: Access to the site condominium will be provided by a two-way entry drive on Wattles Road.

Lots: All units meet the minimum area and bulk requirements of the Zoning Ordinance.

Topographic Conditions: The property is relatively flat, with elevations ranging from 666 feet above sea level to 671 feet above sea level. The Topographic Survey indicates the existing flood plain elevation is 668.3 feet above sea level.

Streets: The streets are proposed to be 28-feet wide and are to be located within a 60-foot right-of-way.

Sidewalks: The applicant is proposing to install 5-foot wide sidewalks along both sides of the drive, including the cul-de-sacs. In addition the applicant is proposing an emergency access connection to Troywood, and an 8-foot wide concrete pedestrian access path connection to the existing path, in the southeast corner of the property. This will provide a non-motorized connection between the neighborhood and both Troywood and Wattles Elementary School.

Utilities: The parcel is served by public water and sewer.

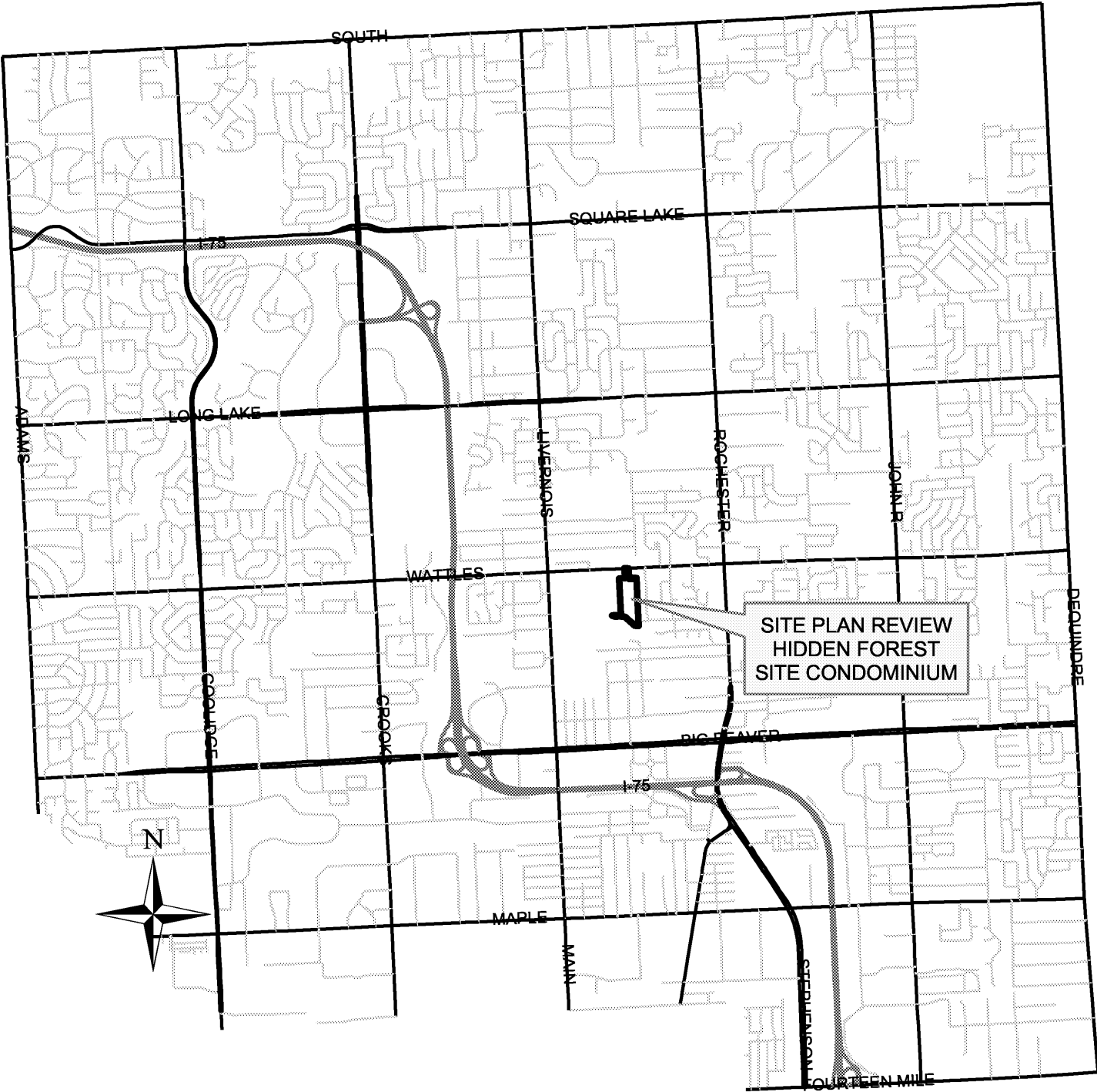
Attachments:

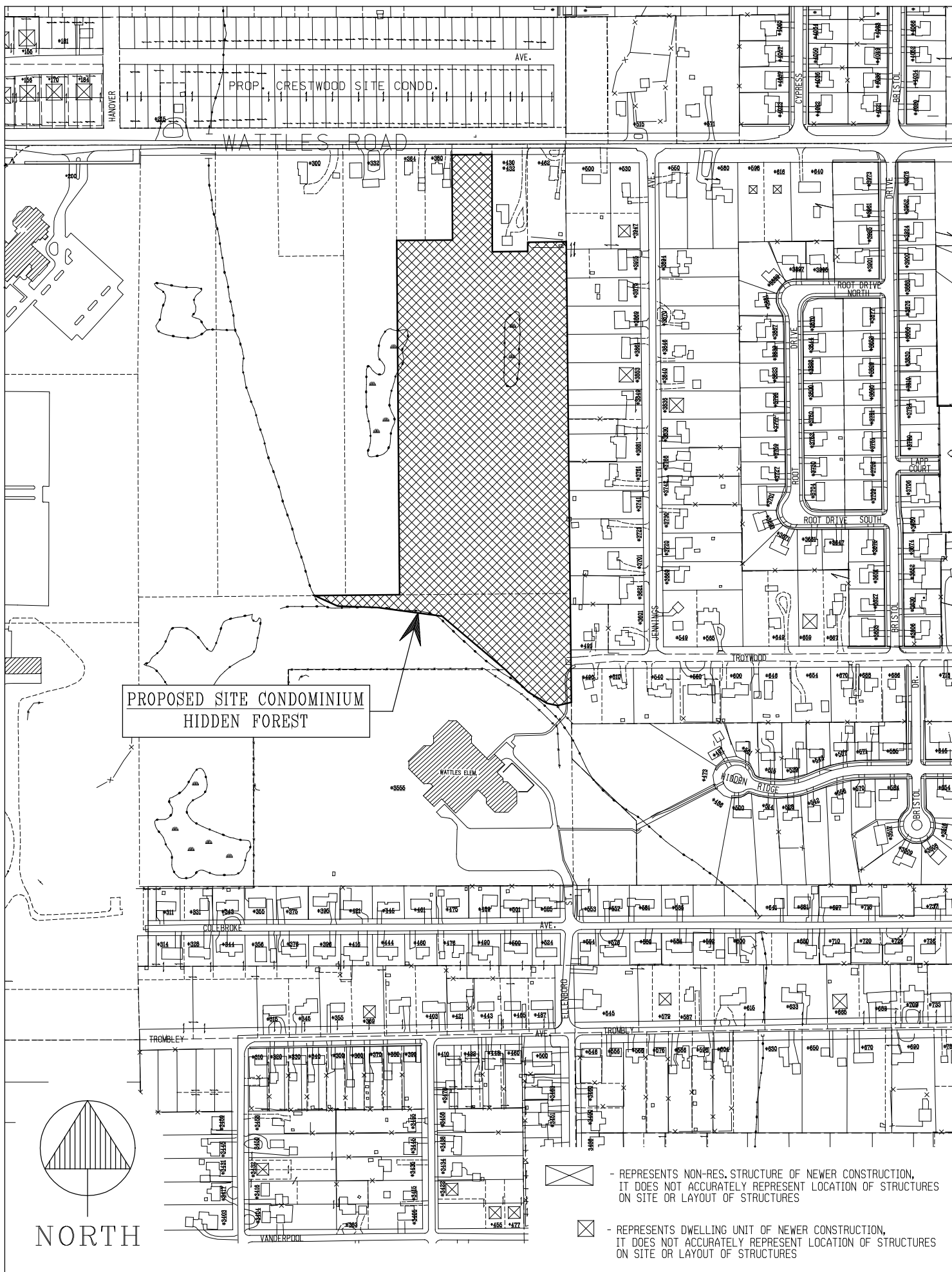
1. Maps
2. Wetlands delineation
3. March 9, 2004 Planning Commission minutes
4. Environmental Impact Statement
5. Comparison between Site Condominiums and Plats
6. Unplatted Residential Development Levels of Approval

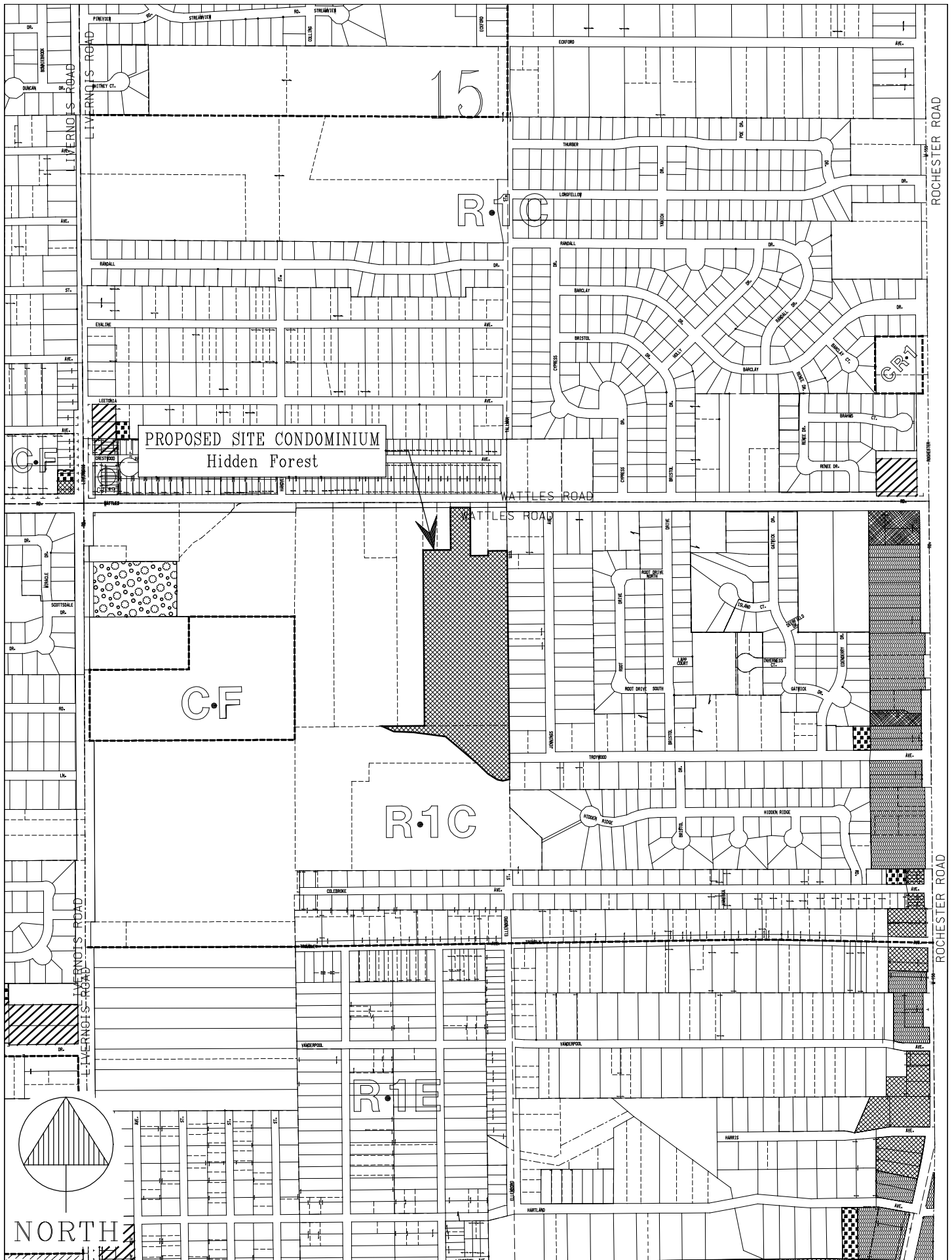
cc: Applicant
File/Hidden Forest Site Condominium

G:\SUBDIVISIONS & SITE CONDOS\HIDDEN FOREST SITE CONDO SEC 22\Hidden Forest Site Condo City Council Preliminary approval.doc

CITY OF TROY

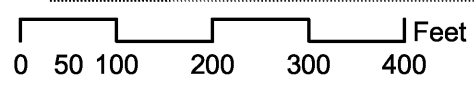








SITE PLAN REVIEW
HIDDEN FOREST SITE CONDOMINIUM
S SIDE OF WATTLES, E OF LIVERNOIS
SEC. 22 (34 LOTS)



Wattles Road Site

Wetland Delineation and Determination of Jurisdiction

Part of the NW 1/4 of Section 22, T.2N., R.11E.
The City of Troy
Oakland County, Michigan

November 2003

REC'D

APR 10 2004

PLANNING DEPT.

FEB 10 2004

#4

Wattles Road Site

Wetland Delineation and Determination of Jurisdiction

Part of the NW 1/4 of Section 22, T.2N., R.11E.

The City of Troy
Oakland County, Michigan

November 2003

Prepared For:

Mr. Brad Byarski

Plymouth Real Estate Development, Inc.

2617 Beacon Hill

Auburn Hills, MI 48326

Prepared By:

Brooks Williamson and Associates, Inc.

30366 Beck Road

Wixom, Michigan 48393

EXECUTIVE SUMMARY

This document with associated field mapping is a determination of the existence and extent of any wetlands, ponds, lakes, or streams on a parcel of property located in the City of Troy, Oakland County, and is a determination of their regulatory status under the following:

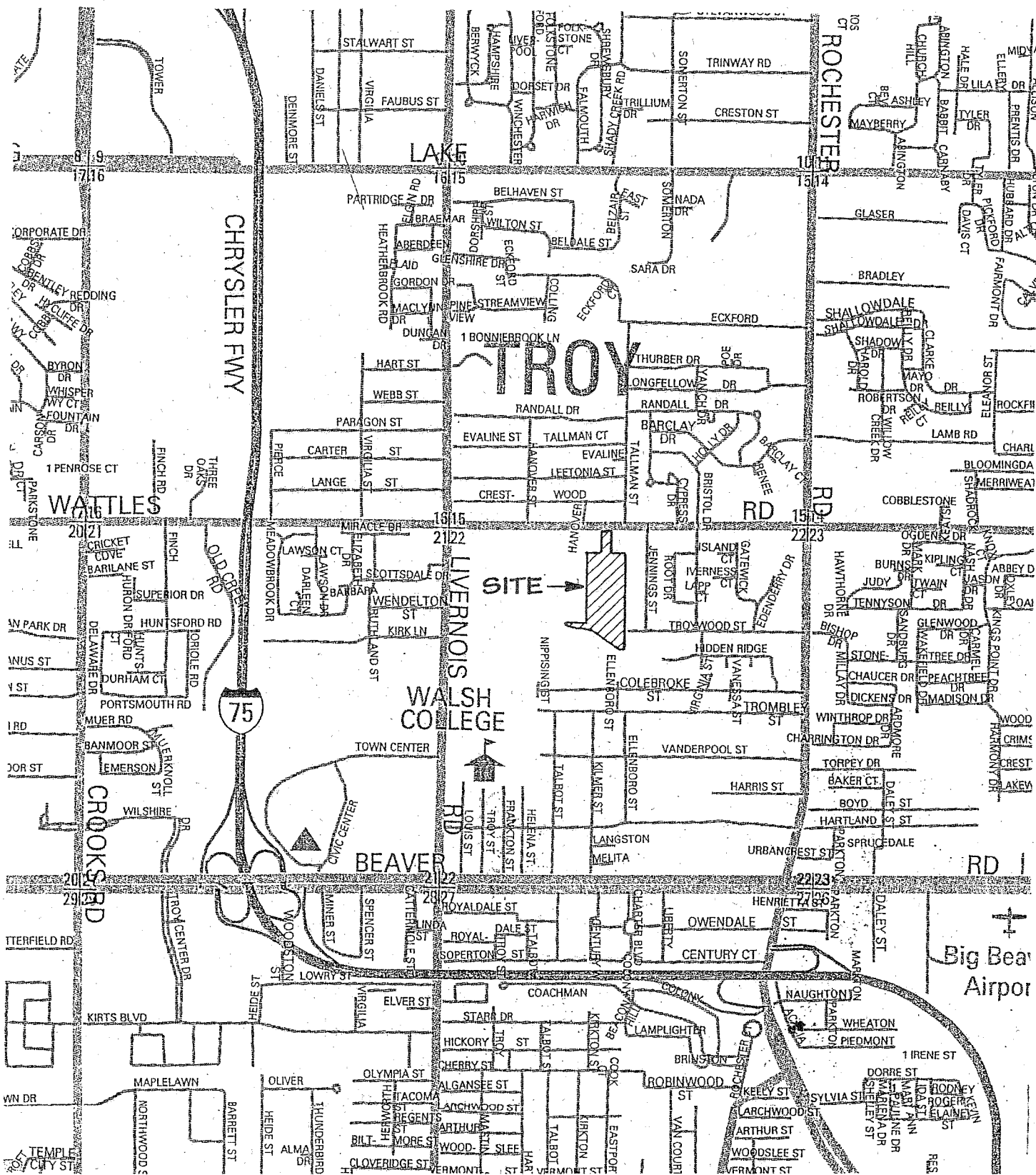
- a) Natural Resources and Environmental Protection Act (1994 P.A. 451),
 - Part 301, Inland Lakes and Streams Protection;
 - Part 303, Wetland Protection;
- b) Regulation of any wetland and water features by the City of Troy.

The wetland and water features on the parcel were delineated at the request of Mr. Brad Byarski of Plymouth Real Estate Development, Inc. This work revealed that three wetlands and two streams are present on the parcel. It is our opinion that all of these wetlands and the streams are subject to regulation by the Michigan Department of Environmental Quality (MDEQ). The City of Troy currently has no ordinance regulating wetlands or watercourses. Permits will be required for construction activities involving regulated areas.

These findings represent the opinion of Brooks Williamson and Associates, Inc. Wetland delineation in the field conforms to currently accepted State wetland definitions and procedures. A detailed description of methods and site conditions follows.

SITE LOCATION

The site is located in part of the NW 1/4 of Section 22, T.2N., R.11E., the City of Troy, Oakland County, Michigan (Figure 1). The site is situated south off Wattles Road between Livernois Road and Rochester Road. The site is currently vacant land. Access to the site can be obtained via two-track off Wattles or by parking at the Troywood Street dead end. Troywood Street 11 is located where Jennings Avenue terminates. Jennings is located south off Wattles Road.



SITE LOCATION

NO SCALE

(BWA FILE 03-164)

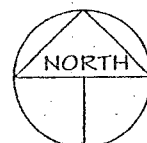


FIGURE 1

AVAILABLE MAPPING

County Soil Survey

The Oakland County Soil Survey was reviewed prior to the site inspection. Two soil mapping units are shown on the parcel (Figure 2). These are Blount loam (32B) and Lenawee silty clay loam (33). The Lenawee series is listed by the U.S. Department of Agriculture as a hydric soil. A hydric soil is a soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions that favor the growth and regeneration of hydrophytic (wetland) vegetation.

According to the technical definition used by the Natural Resources Conservation Service (NRCS) the following soils are hydric:

1. All Histosols except Folists; or
2. Soils in Aquic suborders, great groups, or subgroups, Albolls suborder, Aquisalids, Pachic subgroups, or Cumulic subgroups that are:
 - a. Somewhat poorly drained with a water table equal to 0.0 foot (ft) from the surface during the growing season, or
 - b. poorly drained or very poorly drained and have either:
 - (1) water table equal to 0.0 ft during the growing season if textures are coarse sand, sand, or fine sand in all layers within 20 inches (in),
or for other soils
 - (2) water table at less than or equal to 0.5 ft from the surface during the growing season if permeability is equal to or greater than 6.0 in/hour (h) in all layers within 20 in, or
 - (3) water table at less than or equal to 1.0 ft from the surface during the growing season if permeability is less than 6.0 in/h in any layer within 20 in, or
3. Soils that are frequently ponded for long duration or very long duration during the growing season, or
4. Soils that are frequently flooded for long duration or very long duration during the growing season.

The Lenawee series is considered to be a hydric soil because it is poorly to very poorly drained and has a water table less than or equal to one foot from the surface during the growing season. It has a permeability less than six inches per hour in any layer located within twenty inches of the surface. In addition, it is frequently ponded for long or very long duration during the growing season.

In a natural or unaltered condition, the hydric soils shown on a parcel typically support wetland vegetation. Therefore, the soil survey information provides an idea of what may be expected on the property in question.

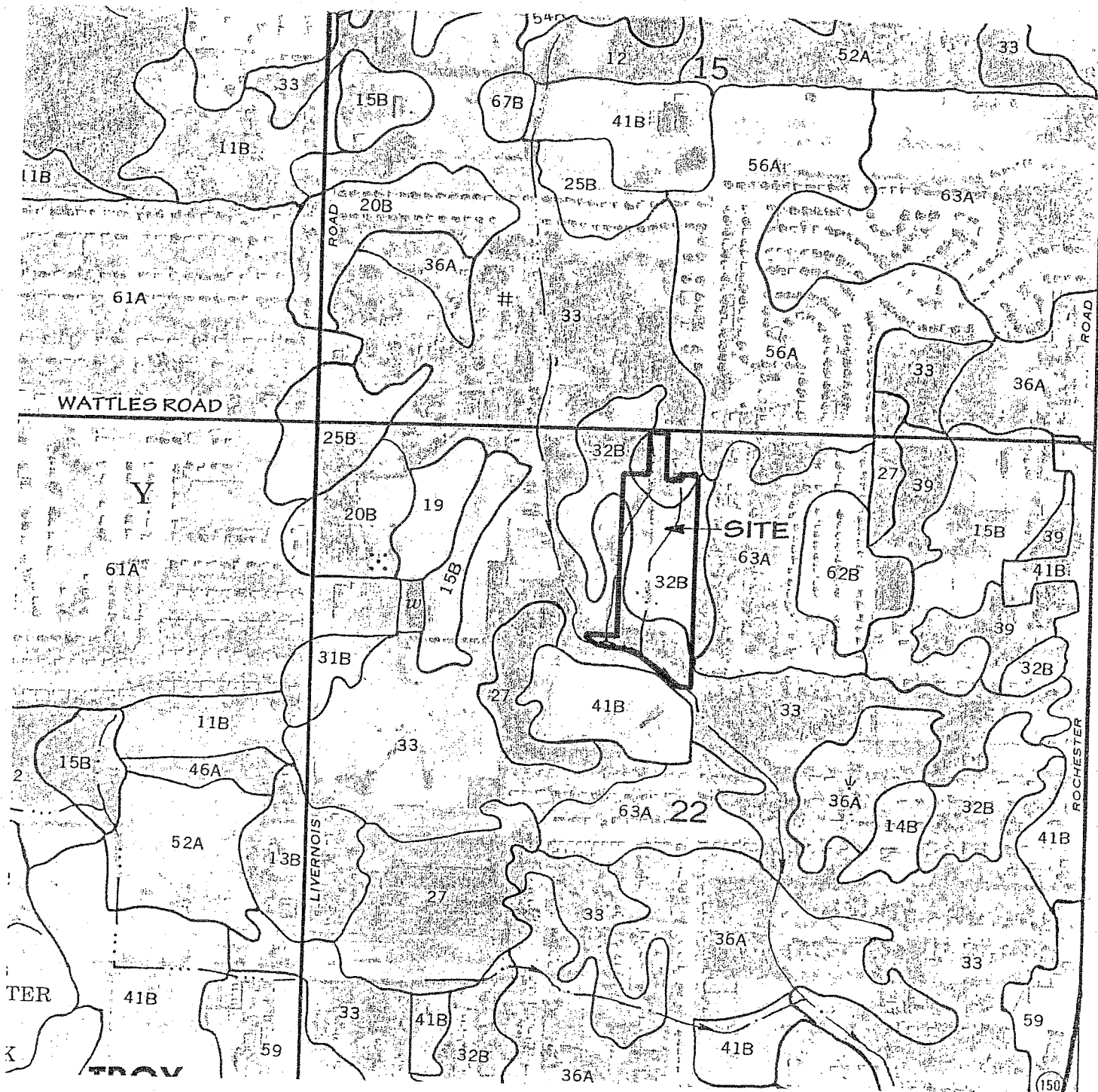
Two watercourses are shown on the property.

U.S. Geological Survey Map (USGS)

The USGS Quadrangle map for this area (Figure 3) shows no wetlands located on the property. The Sturgis Drain is shown along the southern boundary of the property, suggesting the potential for wetlands to occur. These maps typically show only the more distinct wetland and water features, and should be utilized for preliminary analysis only. Actual field mapping is necessary to determine the actual existence, type, and boundaries of wetland on a given site.

National Wetland Inventory (NWI)

The NWI map for this area (Figure 4) shows a linear palustrine deciduous scrub-shrub wetland with a semipermanent/seasonal/saturated water regime (PSS1Y) and a linear palustrine emergent wetland with a similar water regime (PEMY) located on the property. Please note that NWI maps are compiled from aerial photography and may not show all wetlands in a given area, nor accurately characterize all wetlands shown. These maps should be used only for preliminary analysis.



32B Blount loam
 33* Lenawee* silty clay loam

*(Hydric soils)

OAKLAND COUNTY SOIL SURVEY

SCALE: 1" = 1000'

(BWA FILE 03-164)

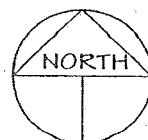
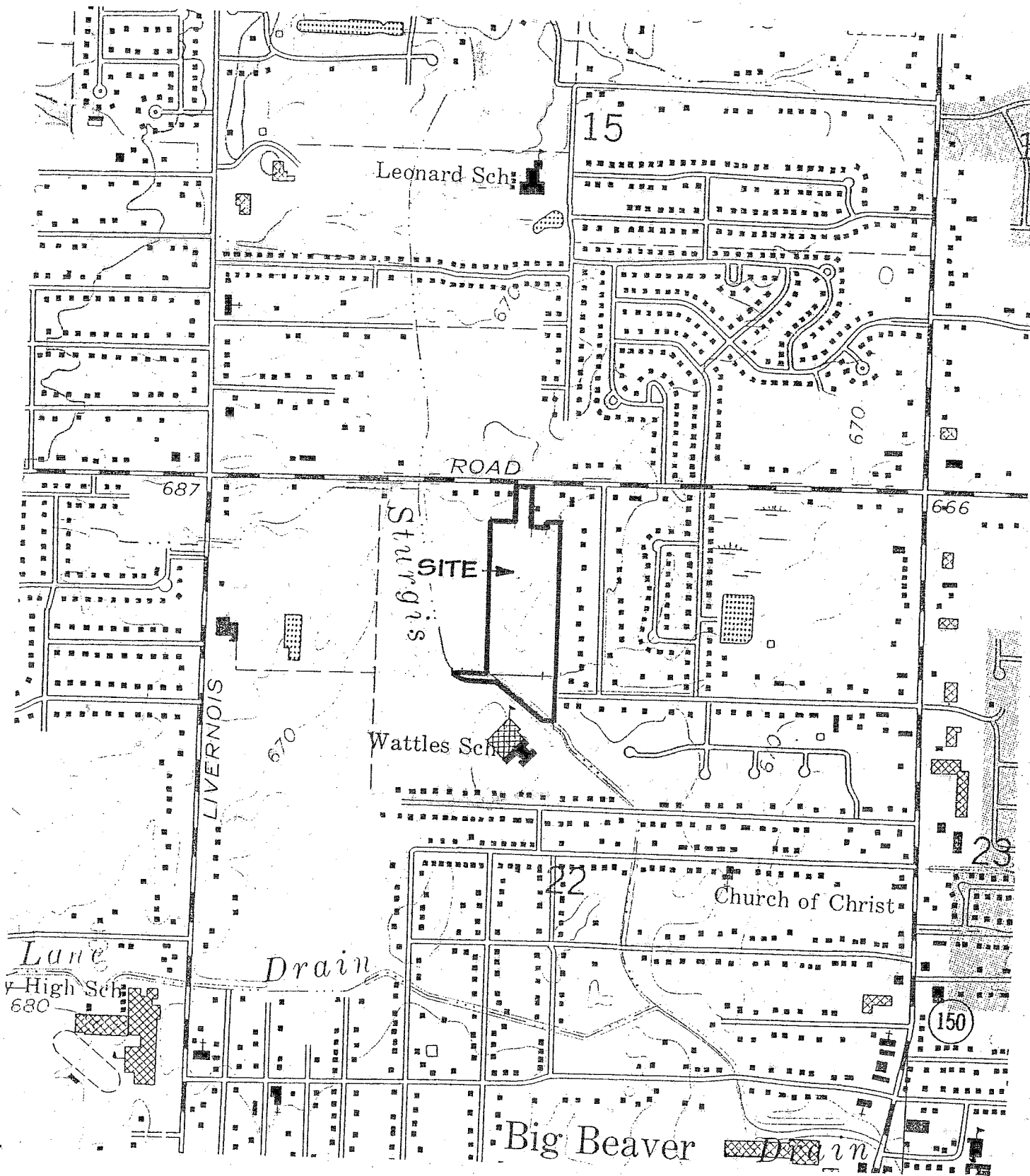


FIGURE 2



U.S.G.S. QUADRANGLE
'BIRMINGHAM' QUAD

SCALE: 1" = 1000'

(BWA FILE 03-164)

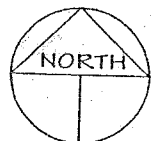


FIGURE 3

METHODOLOGY

Wetland areas are defined by P.A. 451 of 1994, Part 303, Wetland Protection, as:

"... land characterized by the presence of water at a frequency and duration sufficient to support and that under normal circumstances does support wetland vegetation or aquatic life and is commonly referred to as a bog, swamp, or marsh ..."

The methodology used in defining the location of wetland areas within the parcel was that established by Rule 4 of the rules promulgated pursuant to the Act and by the Michigan Department of Environmental Quality: A Technical Manual for Identifying Wetlands in Michigan (March, 2001). When questions arose regarding the proper location of the line, the Corps of Engineers Wetlands Delineation Manual, 1987, and supporting documents were used.

Determination of the possible existence, extent, or distance of any off-site wetlands, ponds, lakes, streams, or other features is based on publicly available information including aerial photographs, U.S. Geological Survey maps, National Wetland Inventory maps, and County Soil Surveys.

DESCRIPTIONS OF WETLAND AND WATER FEATURES

The site was inspected and delineated on November 24, 2003. Three wetlands and two streams were identified on the property. The wetland-upland boundaries were flagged with fluorescent pink and blue survey ribbon. A preliminary map of the general location and size of the wetland areas is included as Figure 5. Please note that this map shows only an approximate location of wetland-upland boundaries, and any ponds, lakes, or streams. We recommend that the delineated wetland boundaries be surveyed and incorporated into the site plan. A sketch showing flag numbering for identification in the field is included as Attachment A.

The wetland areas are briefly described below:

Wetland #1

This area is a forested wetland. Vegetation includes green ash (*Fraxinus pennsylvanica*), American elm (*Ulmus americana*), and sedge (*Carex spp.*). Bare soil, hummocks, water marks on trees, and crayfish chimneys indicate wetland hydrology. Soils exhibited redoximorphic features. This wetland continues off-site to the west. A portion of this wetland was atypical due to past disturbances such as mowing and disking. The delineation is based on current site conditions.

Wetland #2

This area is a forested and scrub-shrub wetland, including a narrow fringe associated with the Sturgis Drain. Vegetation includes American elm, dogwood (*Cornus amomum*), and glossy buckthorn (*Rhamnus frangula*). Hydrology and soils are similar to Wetland #1. A small intermittent stream transports water from north to south into the Sturgis Drain. The Sturgis Drain continues off-site to the east and to the west. A portion of this wetland was atypical due to past disturbances such as mowing and disking. The delineation is based on current site conditions.

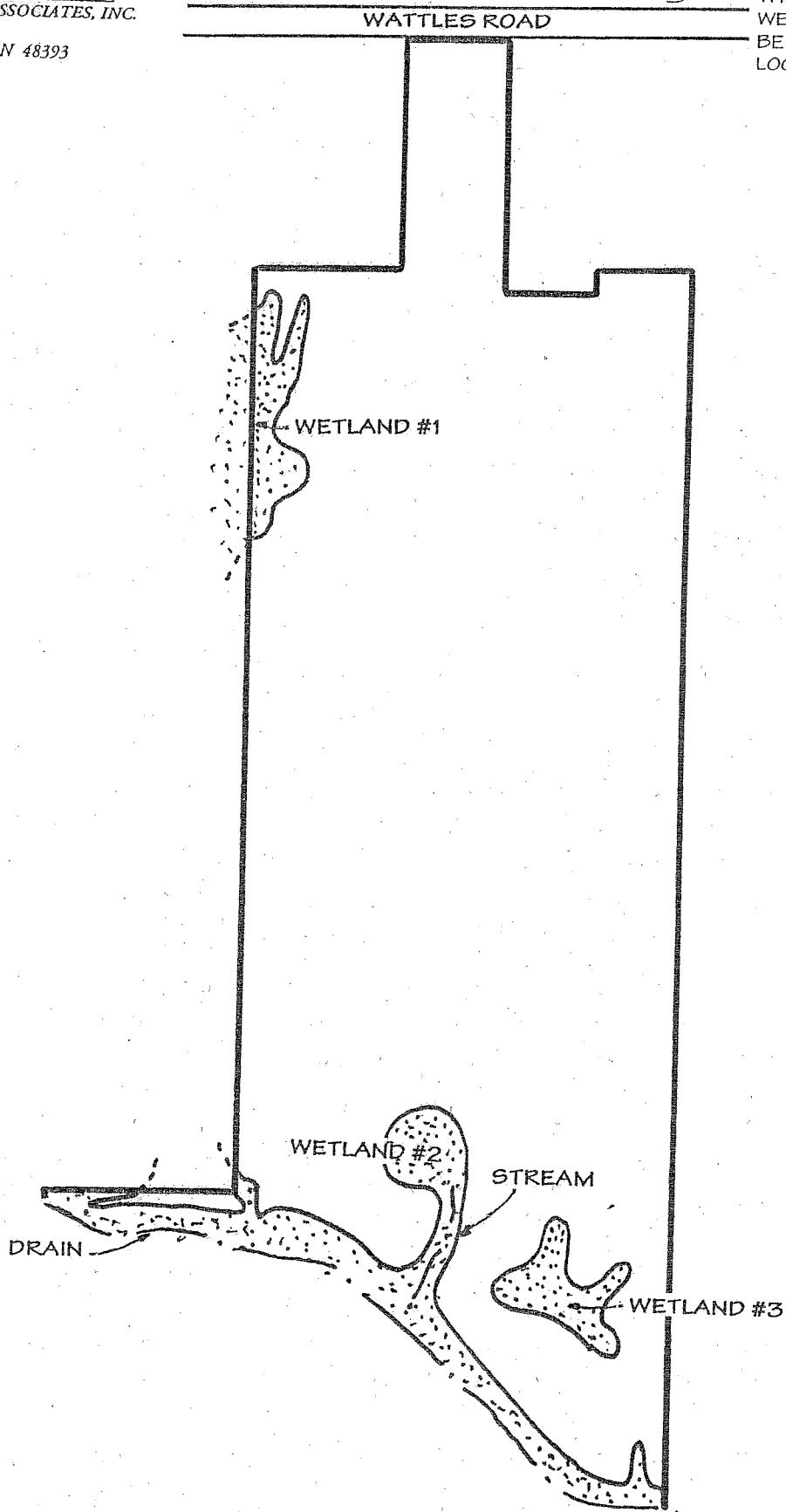
Wetland #3

This area is an isolated forested wetland. Vegetation, soils, and hydrology are similar to Wetland #1.

BROOKS WILLIAMSON

AND ASSOCIATES, INC.
30366 BECK ROAD
WIXOM, MICHIGAN 48393
TEL: 248 624 9100
FAX: 248 624 3963

THIS IS ONLY AN ESTIMATE OF THE
WETLAND LINE. FLAGGED LINES
BE SURVEYED FOR ACCURATE
LOCATION AND PLANNING PURPOSES



PRELIMINARY WETLANDS MAP

SCALE : 1" = 200'

(BWA FILE 03-164)

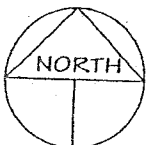


FIGURE 5

REGULATION OF WETLAND AND WATER FEATURES

Regulation of Inland Lakes and Streams by the State of Michigan

Inland lakes and streams are protected under Part 301 of 1994 P.A. 451, Inland Lakes and Streams Protection. The Michigan Department of Environmental Quality (MDEQ) assumes authority over natural or artificial inland streams that have definite banks, a bed, and visible evidence of a continued flow or continued occurrence of water; and natural or artificial lakes or ponds with a surface area of five acres or greater. The Great Lakes and Lake St. Clair are not considered to be inland lakes under this act.

Two streams were identified on the property during the site inspection. Observations of definite beds, banks, and significant water flow, suggest that the definition of a stream is met under Part 301.

Please note that the following activities are prohibited within regulated inland lakes and streams without a MDEQ permit:

1. Dredging or filling bottomland;
2. Constructing, enlarging, extending, removing or placing a structure on bottomland;
3. Erecting, maintaining or operating a marina;
4. Creating, enlarging or diminishing an inland lake or stream;
5. Structurally interfering with the natural flow of an inland lake or stream;
6. Constructing, dredging, commencing, extending or enlarging an artificial canal, channel, ditch, lagoon, pond, lake, or similar waterway where the purpose is ultimate connection with an existing inland lake or stream, or where any part of the artificial waterway is located within 500 feet of the ordinary high water mark of an existing inland lake or stream;
7. Connecting any natural or artificially constructed waterway, canal, channel, ditch, lagoon, pond, lake or similar water with an existing inland lake or stream for navigation or any other purpose.

Wetland Regulation by the State of Michigan

Wetlands are protected under Part 303 of 1994 P.A. 451, Wetland Protection. The Michigan Department of Environmental Quality (MDEQ) assumes authority over wetlands that are contiguous to an inland lake, pond, or stream, within 500 feet of an

inland lake, pond, or stream, or within 1,000 feet of a Great Lake, Lake St. Clair, the St. Clair River, or the Detroit River. Isolated wetlands five acres in size or greater are also regulated in counties with a population of greater than 100,000 per the most recent Federal census. The population of Oakland County was in excess of 100,000 at the time of the most recent Federal census (2000).

The MDEQ may also exert regulatory control over isolated wetlands less than five acres in size "...if the department determines that protection of the area is essential to the preservation of the natural resources of the state from pollution, impairment, or destruction and the department has so notified the owner".

The Wetland Protection Rules state that "Upon the request of a property owner or his or her agent, the department shall determine if there is no surface or groundwater connection that meets the definition of contiguous under R.281.921(1)(b)(iii)." Thus the MDEQ may decline regulatory jurisdiction over a wetland less than 5 acres in size which is initially considered to be regulated because it is located within 500 feet of an inland lake, pond, or stream. A wetland area may not be subject to regulation if it is isolated, less than 5 acres, and has no surface water or groundwater connection to a lake, pond, or stream. The Department may decline jurisdiction of such a wetland if field inspection suggests that no surface connection is present and additional hydrogeologic investigation, including survey and soil studies, indicate that no sub-surface connection exists due to lack of groundwater movement. Although the Department has accepted this type of information in the past, recent unwritten policy is to consider all wetlands within 500 feet to have a groundwater connection.

Wetlands #1 and #2

These wetlands are subject to regulation by the MDEQ because they are both contiguous to the streams on site due to direct physical connections. These wetlands are connected off-site to the west and are part of the same wetland system. In addition this system is greater than five acres, in size, including off-site portions.

Wetland #3

This wetland will be considered regulated by the MDEQ because it is contiguous to (located within 500 feet of) the two streams on site. These distances are measured from an aerial photograph as well as estimated in the field.

Please note that the following activities are prohibited within regulated wetlands without a MDEQ permit:

1. The placement of fill material;
2. Dredging;
3. Construction within; and/or
4. The draining of surface water from a wetland.

Regulation by the City of Troy

At the time of the site inspection, the City of Troy had no ordinances regulating wetland or watercourse areas.

CONFIRMATION BY REGULATORY AGENCIES

Numerous natural environmental factors and human induced changes may cause changes in the extent of wetland on a parcel over a period of time. Identification of wetland or water features on the property represents what this firm believes the MDEQ would consider to be a wetland, pond, lake, or stream based on the condition of the site at the time of inspection and recent regulatory policies and attitudes. Please note that the Department has the final decision in matters of jurisdiction and delineation.

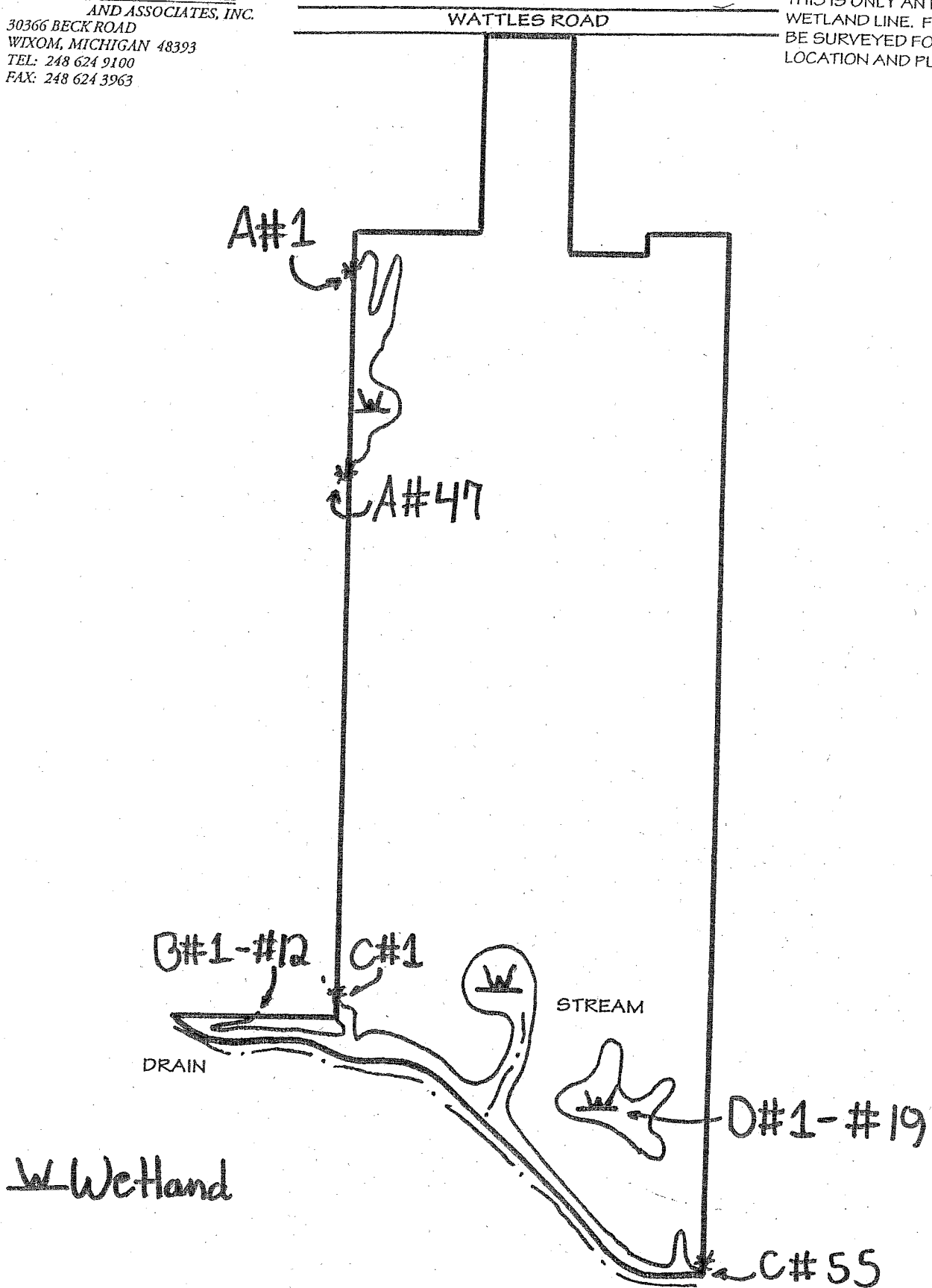
We recommend that this delineation report be forwarded to the MDEQ for confirmation or corrections, should any questions arise. Purchase or detailed planning should generally be considered only after receiving written confirmation.

Attachment A

Flag Numbering for Preliminary Wetland Boundaries

BROOKS WILLIAMSON
AND ASSOCIATES, INC.
30366 BECK ROAD
WIXOM, MICHIGAN 48393
TEL: 248 624 9100
FAX: 248 624 3963

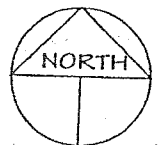
THIS IS ONLY AN ESTIMATE OF THE
WETLAND LINE. FLAGGED LINES MUST
BE SURVEYED FOR ACCURATE
LOCATION AND PLANNING PURPOSES



PRELIMINARY WETLANDS MAP

SCALE: 1" = 200'

(BWA FILE 03-164)



4. SITE PLAN REVIEW – Proposed Hidden Forest Site Condominium, 34 units proposed, South side of Wattles, East of Livernois, Section 22 – R-1C

Mr. Savidant presented a summary of the Planning Department report for the proposed Hidden Forest Site Condominium. The petitioner submitted two plan layouts and Mr. Savidant reported that the Planning Department prefers and recommends approval of the layout that provides a vehicular connection to Troywood, as shown on Sheet “CE2A”. He noted the petitioner prefers to provide an emergency access drive/walkway connection to Troywood rather than a vehicular connection, as shown on Sheet “CE2”.

The petitioner, Gary Abitheira of 178 Larchwood, Troy, was present. Mr. Abitheira said the residents who live at the end of Troywood have expressed concerns with increased traffic on Troywood and the safety of school children. Mr. Abitheira said those two concerns are the reason why he would prefer the layout that provides the emergency access drive/walkway connection to Troywood.

Discussion followed on traffic cut-through streets, future paving of Troywood, flow of traffic to/from Wattles Elementary School for picking up/dropping off school children, snow removal, and emergency access provisions.

Mr. Abitheira said he has filed an application with the MDEQ requesting that the designated wetlands area be mitigated in an area that would provide an area for the detention basin or road in the southeast corner of the site. He confirmed that the trees on the eastern property line would be preserved as best as possible, and that the site plan would be corrected to designate a concrete street.

Mr. Chamberlain suggested that an “eyebrow” be provided which could be removed when the street is connected.

Chair Waller opened the floor for public comment.

Akram Sidhom of 3853 Jennings, Troy, was present. Mr. Sidhom expressed concerns with the standing water and junk that has been on the property since it was cleared.

Scott Bosley of 3601 Jennings, Troy, was present. Mr. Bosley said that Jennings is currently used as a cut-through street during rush hour and expressed his concerns with an additional cut-through, traffic congestion and safety of school children should a connection be made to Troywood.

Dan McCatty of 3721 Jennings, Troy, was present. Mr. McCatty asked that the City pay attention to the proposed storm water drainage on the east side of the property. He said there is occasional flooding on Jennings, and noted that he pumps out the standing water on his property and neighboring properties. Mr. McCatty also asked

that the site plan reflect the trees that the developer claims will remain on the property. Mr. McCatty expressed his concern with cut-through traffic and the safety of school children, and supported the suggestion to provide an “eyebrow” at the end of Troywood.

Chair Waller informed Mr. McCatty that the petitioner is required to abide by the City’s Tree Preservation Plan requirements.

Chair Waller informed the residents that the determination made by the Planning Commission tonight is a recommendation to City Council, and encouraged them to address their concerns also to City Council.

The floor was closed.

Mr. Chamberlain said the aerial photographs of the property indicate that Troywood is wide enough to provide sidewalks should the road be paved in the future. Mr. Chamberlain proposed, in conjunction with the construction of the “eyebrow”, that the City give priority to paving and providing sidewalks on Troywood from the proposed development to Bristol.

Mr. Miller reported that the property to the west of the proposed development was purchased by the City of Troy and deeded to the Drain Commission for a regional detention basin. He noted that Troywood would be reconstructed when the major storm sewer outlet is constructed in the future.

Mr. Miller reported that the provision of a road connection for emergency access is the preferred layout of the Fire Department. He noted the alternative emergency vehicle access, that also provides a pedestrian access, has been a recent consideration of the Fire Department for stub roads located throughout the City.

Resolution # PC-2004-03-031

Moved by: Chamberlain

Seconded by: Wright

RESOLVED, That the Planning Commission recommends to City Council, that the Preliminary Site Plan (Section 34.30.00 Unplatted One-Family Residential Development), as requested for Hidden Forest Site Condominium, including 34 units, located south of Wattles Road and east of Livernois Road, Section 22, within the R-1C zoning district be granted, subject to the following conditions:

1. The approved site plan is Sheet “CE2A” with the provision that the road at the east boundary to Troywood not be opened, but an “eyebrow” be put in so that a connection can be provided at the time that Troywood is completed. In the interim, the short strip shall be marked as EVA (Emergency Vehicle Access) to allow access of emergency vehicles.

2. The pavement for the subdivision is designated on the site plan as concrete and that the petitioner sign-off on that designation at tonight's meeting.

Discussion on the motion.

Mr. Vleck questioned the legality of the motion to include the type of pavement.

Mr. Motzny responded that the type of pavement could be included in the motion as a recommendation to City Council.

A short discussion followed with respect to the City policy and the responsible party for removing a temporary turnaround.

Mr. Strat expressed his concern with providing only one emergency vehicle access to a site having 34 units.

Vote on the motion on the floor.

Yes:	Chamberlain, Drake-Batts, Khan, Strat, Waller, Wright
No:	Littman, Vleck
Absent:	Schultz

MOTION CARRIED

Mr. Vleck stated the amount of units in the proposed development requires two emergency vehicles accesses and approving the proposal with one emergency vehicle access creates an unsafe condition.

Mr. Littman agreed that it is important to provide two access points for the proposed development, and noted his concern that prospective new residents in the subdivision have no knowledge that the road would be opened in the future.

COMPARISON BETWEEN SITE CONDOMINIUMS AND PLATS

The site condominium is a form of development that closely resembles the more traditional form of land subdivision known as a “subdivision” or a “plat”. Although both types of development have the same basic characteristics, site condominiums are a newer form of development and are not, therefore, as familiar to homebuyers and neighbors as the more customary plats. An important concept related to any type of condominium development is that condominiums are a form of OWNERSHIP, not a type of physical development.

The following summary is intended to compare and contrast the two types of development.

1. **Comparisons between site condominiums and plats.**

- a. **Statutory Basis** – Site condominium subdivisions first became possible under the Michigan Condominium Act, which was adopted by the Michigan Legislature in 1978. Plats are created under the Michigan Land Division Act, formerly the Michigan Subdivision Control Act of 1967.
- b. **Nature and Extent of Property Ownership** – An individual homesite building in a platted subdivision is called a “lot”. In a site condominium, each separate building site or homesite is referred to by the Condominium Act as a “unit”. Each unit is surrounded by “limited common area”, which is defined as common elements reserved in the master deed for the exclusive use of less than all of the co-owners”. The remaining area in the site condominium is “general common area”, defined as the common elements reserved in the master deed for the use of all of the co-owners. The nature and extent of ownership of a platted lot and a condominium unit, with the associated limited common area, are essentially equivalent from both a practical and legal standpoint.
- c. **Compliance with Zoning Ordinance** – Both site condominiums and subdivisions are required to comply with the minimum requirements of the City of Troy Zoning Ordinance for area and bulk, including minimum lot size, lot width, setbacks and building height. Essentially, site condominiums and subdivisions in Troy must “look” similar.
- d. **Creation/Legal Document** – A site condominium is established by recording in the records of the county in which the land is located a master deed, bylaws and condominium subdivision plan (“plan”). A platted subdivision is created by the recording of a subdivision plat (“plat”), usually coupled with a declaration of easements, covenants, conditions and restrictions. The plan depicts the condominium units and limited and general common areas, while the plat defines the lots. Both have

substantially the same geometrical appearance and characteristics. The master deed and bylaws on the one hand and the declaration on the other have essentially the same functions with respect to the site condominium or platted subdivision, namely, establishment of: (i) building and use restrictions; (ii) rights of homeowners to use common areas; (iii) financial obligations of owners; and, (iv) procedures for operation of the subdivision.

- e. **Home Maintenance and Real Estate Taxes** – Each unit and lot, as respectively depicted on a condominium plan or subdivision plat, together with any home located thereon, are required to be individually maintained by the owner. Likewise, separate real estate taxes are assessed on each condominium unit or platted lot and paid individually by each homeowner.
- f. **Roads and Utilities** – In most plats, roads are dedicated to the public and maintained by the county road commission or the municipality in which the subdivision is located. Site condominium roads can be either public or private. Sanitary sewer and water supply are public in both. Storm water detention can vary between public and private dedication in both platted and condominium subdivisions.
- g. **Common Areas** – In a site condominium, general common areas, such as open space, entrance areas and storm drainage system, are owned by condominium unit owners in common as an incident of ownership of each unit. In a platted subdivision, legal title to common areas is owned by a homeowners association. In both forms of development, a homeowners association administers the common areas for the benefit of all homeowners equally.
- h. **Homeowners Association** – It is important in both types of development to incorporate a homeowners association comprised of all lot owners or unit owners, as the case may be, to maintain common areas, enforce restrictions and regulations, collect assessments and otherwise administer the common affairs of the development. Because the Condominium Act confers special enforcement powers upon homeowner associations, which are not characteristic of platted subdivision associations, it is generally thought that the condominium form is superior from the standpoint of enforcing rules and regulations of the private community.
- i. **Financial Obligations of Homeowners** – In both types of development, the homeowners association is given the power to assess property owners to pay for maintenance of all common areas and other expenses of administration. Failure to pay give rise to a lien on the defaulting owner's homesite thus providing financial security that the common areas will be properly maintained for the benefit of all homeowners.

- j. **Public Relations** – The same types of public health, safety and welfare regulations apply to both forms of development. Procedurally, the methods of applying for and obtaining plat or condominium plan approval are similar at the municipal level.
- k. **Unique Characteristics of Condominium Unit Purchase** – The Condominium Act provides special benefits for site condominium unit purchasers: (i) a 9-day period after signing a purchase agreement within which a purchaser may withdraw without penalty; and (ii) a requirement that all condominium documents, supplemented by an explanatory disclosure statement, be furnished to all purchasers at the time of entry into a purchase agreement. There are no similar benefits to purchasers provided under the Land Division Act.
- l. **Local and State Review** – Both development types require City Council approval, following a recommendation by the Planning Commission. Unlike subdivisions, site condominiums do not require the review and approval of the Michigan Department of Consumer and Industry Services. For this reason it can sometimes take a substantially shorter period of time to obtain necessary public approvals of site condominiums than platted subdivisions.

2. Reason for choosing one form versus another.

Developers and municipalities often prefer the site condominium approach because of better control of market timing. It should be emphasized that the site condominium choice never sacrifices any public protections that would otherwise be present in the case of a platted subdivision under similar circumstances.

3. Conclusion.

The platted subdivision approach and the newer site condominium technique are two different statutory methods of reaching essentially the same practical and legal result of subdividing real estate into separate residential building sites. Both methods are required to meet substantially the same public health, safety and welfare requirements. The site condominium is sometimes chosen over the platted subdivisions because of perceived benefits to purchasers, homeowners, and developers.

UNPLATTED RESIDENTIAL DEVELOPMENT LEVELS OF APPROVAL

Preliminary Plan Approval

A sign is placed on the property informing the public of the proposed development.

Adjacent property owners are notified by mail

Public meeting held by **Planning Commission** for review and recommendation to City Council

City Council reviews and approves plan

The following items are addressed at Preliminary Plan Approval:

- Street Pattern, including potential stub streets for future development
- Potential development pattern for adjacent properties
- Fully dimensioned residential parcel layout, including proposed building configurations
 - Number of lots
 - Building setbacks
 - Lot dimensions
 - Locations of easements
- Preliminary sanitary sewer, storm sewer, and water main layout
- Environmental Impact Statement (if required)
- Location(s) of wetlands on the property

Final Plan Approval

Notice sign is posted on site

City Council review and approval of:

- Final Plan
- Contract for Installation of Municipal Improvements (Private Agreement)

The following items are addressed at Final Plan Approval:

- Fully dimensioned plans of the total property proposed for development, prepared by registered Civil Engineer or Land Surveyor
- Corners of all proposed residential parcels and other points as necessary to determine that the potential parcels and building configurations will conform with ordinance requirements
- Warranty Deeds and Easement documents, in recordable form for all ROW. and easements which are to be conveyed to the public
- Construction plans for all utilities and street improvements, prepared in accordance with City Engineering Design Standards:
 - Sanitary and Storm sewer
 - Water mains
 - Detention / Retention basins
 - Grading and rear yard drainage
 - Paving and widening lanes
 - Sidewalk and driveway approaches
- Approval from other government agencies involved with the development
- Verification of wetlands and M.D.E.Q. permit if necessary
- Financial guarantees to insure the construction of required improvements and the placement of proper property and parcel monuments and markers shall be furnished by the petitioner prior to submittal of the Final Plan to the City Council for review and approval
- Floor Plans and Elevations of the proposed residential units

Call to Order

The regular meeting was called to order at 7:00 p.m. in Conference Room C at Troy City Hall.

Roll Call

Present: Tom Kaszubski
Padma Kuppa
Oniell Shah
Flora Tan
Cindy Stewart, City liaison
Katie Beyer, student rep
Kara Huang, student rep

Absent: Anju Brodbine, Amin Hashmi, Jeff Hyun, Hailu Robele, Charles Yuan

Approval of Minutes

Minutes from February 3, 2004. Motion by Kuppa, second by Beyer. Approved unanimously.

Minutes from February 23, 2004 special meeting. Motion by Kuppa, second by Beyer. Approved unanimously.

Visitor: Mike Alioto, Sights & Sounds of Greece.

Handout re: display outline. Greek dancers and Greek band members will entertain.

Approximately 10-12 display tables needed - History of Greece, Art, Architecture, Greek Orthodox Church, Olympics, Greek Language, Greek Bookstore, Cooking Demo

Will contact Cindy re: needs - handouts, copies.

Articles Free Press, "Social Interaction" - Beyer commented not the case in Troy

New Business:

A. Fund Raising Event – Ethnic Craft Show

Cost is approx. \$55 - 95/hr. at Troy High or Athens High.

Community Center available for a few October dates.

When members make calls to religious institutions, ask if they hold a craft fair.

Old Business:

A. Cultural Displays recommendation:

Flora will go to Farmington Hills and take photos of Unity Candle

- B. Sights & Sounds of the Philippines - Dr. Ernie Mac all set, will have dancers, singers, fashion show, display booths.
- C. Troy Daze EthniCity meeting scheduled, for Tuesday March 16, 7 pm
- D. Resource list on hold until summer
- E. Diversity Week – Anju and Cindy working on redoing letter to businesses, churches, schools will mail out end March.
- F. Law brochures – in process, company offered to assist – told them it would have to be strictly volunteer. We do not have a budget for the brochures. They might still be interested in helping proof our translations.

Motion by Kuppa, second by Tan to adjourn - Meeting adjourned at 8:23 pm

Tom Kaszubski, EIA Board Chairman

Cindy Stewart, Recording Secretary

A Regular Meeting of the Troy Advisory Committee for Persons with Disabilities was held Wednesday, March 4, 2004, at the lower level conference room at City Hall. Leonard Bertin called the Meeting to order at 7:08 P.M.

Present: L Bertin, member C. Buchanan, member
 S. Burt, member A. Done, member
 K. Gauri, member T. House, member
 N. Johnson, member P. Manetta, member
 D. Pietron, member M. Pritzlaff, alternate
 G. Yau, Student

Present: M. Grusnick, staff
 K. Jearls, staff

Absent: D. Kuschinsky, member J. Shah, alternate

ITEM B – APPROVAL OF MINUTES OF MEETING OF February 4, 2004

Done made a motion that the Minutes of February 4, 2004 be approved. Supported by Burt. All voted in favor.

ITEM C – VISITORS, DELEGATIONS AND GENERAL PUBLIC

Steve Redmond, Executive Director, On My Own Of Michigan, was in attendance. This organization is supported by individual donations, fundraisers, grants, and parents of those involved. Their website is www.onmyownofmi.org or Steve can be emailed at www.onmyownofmi@aol.com. Steve showed a video demonstrating how developmentally disabled are trained to live independently with his organization's support and 24 hour emergency contacts. He also shared pamphlets detailing the program. Steve was invited to join the Ability Expo and accepted.

ITEM D – NEW BUSINESS

Bertin shared several articles regarding disability issues with the members.

ITEM E – REGULAR BUSINESS

Pietron will attend City Council Meeting on 4/5 (3/5) and House will attend the 4/15 (3/15) meeting.

ITEM F – OLD BUSINESS

Buchanan's letter requesting a joint meeting with this Committee and City Council has been sent to the City Manager's office for placement as an agenda item for a City Council meeting.

ITEM G – INFORMATIONAL ITEMS

AAA Insurance Company has a website listing full serve gas stations.

ITEM H - ADJOURN

Gauri made a motion to adjourn at 8:26 p.m. Burt seconded. All voted in favor.

Leonard Bertin, Chair

Kathy Jearls, Recording Secretary

A Regular Meeting of the Troy Advisory Committee for Persons with Disabilities was held Wednesday, March 4, 2004, at the lower level conference room at City Hall. Leonard Bertin called the Meeting to order at 7:08 P.M.

Present: L Bertin, member C. Buchanan, member
 S. Burt, member A. Done, member
 K. Gauri, member T. House, member
 N. Johnson, member P. Manetta, member
 D. Pietron, member M. Pritzlaff, alternate
 G. Yau, Student

Present: M. Grusnick, staff
 K. Jearls, staff

Absent: D. Kuschinsky, member J. Shah, alternate

ITEM B – APPROVAL OF MINUTES OF MEETING OF February 4, 2004

Done made a motion that the Minutes of February 4, 2004 be approved. Supported by Burt. All voted in favor.

ITEM C – VISITORS, DELEGATIONS AND GENERAL PUBLIC

Steve Redmond, Executive Director, On My Own Of Michigan, was in attendance. This organization is supported by individual donations, fundraisers, grants, and parents of those involved. Their website is www.onmyownofmi.org or Steve can be emailed at www.onmyownofmi@aol.com. Steve showed a video demonstrating how developmentally disabled are trained to live independently with his organization's support and 24 hour emergency contacts. He also shared pamphlets detailing the program. Steve was invited to join the Ability Expo and accepted.

ITEM D – NEW BUSINESS

Bertin shared several articles regarding disability issues with the members.

ITEM E – REGULAR BUSINESS

Pietron will attend City Council Meeting on 3/5 and House will attend the 3/15 meeting.

ITEM F – OLD BUSINESS


Buchanan's letter requesting a joint meeting with this Committee and City Council has been sent to the City Manager's office for placement as an agenda item for a City Council meeting.

ITEM G – INFORMATIONAL ITEMS

AAA Insurance Company has a website listing full serve gas stations.

ITEM H - ADJOURN

Gauri made a motion to adjourn at 8:26 p.m. Burt seconded. All voted in favor.



Leonard Bertin, Chair



Kathy Jearls, Recording Secretary

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Waller at 8:00 p.m. on March 23, 2004, in the Council Board Room of the Troy City Hall.

1. ROLL CALL (taken at 7:45 p.m.)

Present:

Lynn Drake-Batts
Thomas Strat
David T. Waller
Wayne Wright

Absent:

Gary Chamberlain
Fazal Khan
Lawrence Littman
Robert Schultz
Mark J. Vleck

Also Present:

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Kathy Czarnecki, Recording Secretary

Chair Waller declared to delay calling the meeting to order until 8:00 p.m.

ROLL CALL (taken at 8:00 p.m.)

Present:

Gary Chamberlain (arrived 9:00 p.m.)
Lynn Drake-Batts
Robert Schultz (arrived 8:00 p.m.)
Thomas Strat
David T. Waller
Wayne Wright

Absent:

Fazal Khan
Lawrence Littman
Mark J. Vleck

Motion to Excuse Absent Members – Refer to page 2.

2. MINUTES

Resolution # PC-2004-03-035

Moved by: Wright

Seconded by: Drake-Batts

RESOLVED, To approve the March 2, 2004 Special/Study Meeting minutes as published.

Yes: Drake-Batts, Schultz, Strat, Waller, Wright

No: None

Absent: Chamberlain, Khan, Littman, Vleck

MOTION CARRIED

Mr. Strat requested that the March 9, 2004 minutes reflect his concerns with respect to the proposed Hidden Forest Site Condominium project providing only one emergency vehicle access in relation to its proposed 34 condominium units.

Resolution # PC-2004-03-036

Moved by: Wright
Seconded by: Strat

RESOLVED, To approve the March 9, 2004 Regular Meeting minutes as amended.

Yes: Drake-Batts, Strat, Waller, Wright
No: None
Abstain: Schultz
Absent: Chamberlain, Khan, Littman, Vleck

MOTION CARRIED

Motion to Excuse Absent Members

Resolution # PC-2004-03-037

Moved by: Wright
Seconded by: Strat

RESOLVED, That Messrs. Khan, Littman, and Vleck be excused from attendance at this meeting.

Yes: Drake-Batts, Schultz, Strat, Waller, Wright
No: None
Absent: Chamberlain (arrived 9:00 p.m.), Khan, Littman, Vleck

MOTION CARRIED

3. PUBLIC COMMENTS

There was no one present who wished to speak.

4. PLANNING AND ZONING REPORT

Mr. Miller reported on the following:

- Sidewalks – Future study session discussion item to include sidewalk width and thickness, authority to waive sidewalk and/or required width of sidewalk, and construction of sidewalks for City development projects.
- Saleen Facility Tour – Determination of date to reschedule the tour.

- City Manager attendance at April 6, 2004 Special/Study Meeting – Discussion on ZOTA 182 (R1-T Districts), ZOTA 199 (Site Plan Review) and ZOTA 203 (Planning Commission Article II, Repeal of Chapter 40).
- Master Thoroughfare Plan – Review of right-of-way designations.
- Delivery of Planning Commission meeting packets.

5. BOARD OF ZONING APPEALS REPORT

Mr. Schultz reported on the March 16, 2004 BZA meeting.

K-Mart, 100 E. Maple

The BZA granted an outdoor display of plant material during the months of April through July.

2949 Vineyards

The BZA granted relief of the rear yard setback to construct an enclosed swimming pool addition.

2637 E. Square Lake (Evanswood)

The BZA granted relief of the future thoroughfare plan right of way setback to construct a single family home.

2805 Ranieri

The BZA tabled the request for relief of a rear yard setback to construct a patio enclosure addition.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Miller reported on the following item discussed at the March 17, 2004 DDA meeting.

- Request for Qualifications – Big Beaver Corridor Study

7. SUB-COMMITTEE REPORTS

Tree Preservation / Landscaping / Walls

No report.

8. ZONING ORDINANCE TEXT AMENDMENT (ZOTA #202) – Article 28.30.02
Outside Storage of Commercial & Recreational Vehicles in Self Storage Facilities

and
9. ZONING ORDINANCE TEXT AMENDMENT (ZOTA #204) – Article 28.00.00
Outside Storage of Commercial & Recreational Vehicles in Required Off Street
Parking in the M-1 District

Mr. Miller presented a summary of the Planning Department report on outside storage of commercial and recreational vehicles. Research conducted by the Planning Department shows no businesses advertising the outdoor storage of commercial or recreational vehicles. Mr. Miller noted that business owners have not been notified the City is considering amendments to the zoning ordinances.

Mr. Miller presented overhead plans and briefly reported on the following mini-warehouse sites.

- Secured Storage Systems, 1485 Maple Way
- Snell Storage, 1205 Rochester Road
- Shurgard Storage Center, 1315 Chicago Road
- Shurgard Storage Center, 2821 Industrial Row
- E Z Mini Storage, 1320 E. Big Beaver Road
- Public Storage, 1404 E. Big Beaver Road
- Mini U Storage, 262 E. Maple Road
- Shurgard Storage Center, 322 E. Maple Road
- Storage USA, 1150 Coolidge

Mr. Miller presented photographs and maps for the following parcels that appear to offer outdoor storage potential.

- Site on Souter
- Site on Badder
- Site on Elmsford

(Mr. Chamberlain entered meeting at 9:00 p.m.)

General discussion followed with respect to notification to business owners and appropriate “number crunching” information to provide them, researching property size calculations in relation to the size of retention/detention ponds, and providing City Council with an interim progress report.

The Planning Department was commended on a job well done.

Resolution # PC-2004-03-038

Moved by: Schultz

Seconded by: Wright

RESOLVED, That the Planning Department put together an interim report regarding ZOTA #202 and ZOTA #204 relating to outside storage of commercial and recreational vehicles in self-storage facilities in M-1 districts and forward to City Council as a green informational item, inclusive of the visual aids, so that City Council can be made aware of the progress.

Yes: Drake-Batts, Schultz, Strat, Waller, Wright

No: None

Absent: Chamberlain, Khan, Littman, Vleck

MOTION CARRIED

10. ZONING ORDINANCE TEXT AMENDMENT (ZOTA #205) – Articles 39.70.02 and 39.80.02 Landscape Requirements within the Required 10-Foot Wide Greenbelt

Mr. Savidant presented a summary of the Planning Department report for the proposed ZOTA #205. Mr. Savidant reviewed the formula based on caliper inches for non-residential and residential greenbelts, as proposed by the Parks & Recreation Department. He stated that the caliper inch formula provides more flexibility in determining the number of trees within a greenbelt. He also noted the caliper inch formula does not require the subtraction of the width of an entry drive in the calculation which would reduce the number of trees within the greenbelt. Mr. Savidant confirmed that the City's Tree Preservation Plan would incorporate any applicable zoning ordinance text amendment.

Mr. Miller said that, from a planning standpoint, landscape plans should be a part of the site plan approval process.

Chair Waller emphasized that language in the Tree Preservation Plan should be reviewed to establish a policy relating to tree preservation commitments by developers for proposed developments.

Mr. Chamberlain said he does not agree with the caliper inch formula as proposed by the Parks & Recreation Department and that the proposed language he suggested more adequately addresses the issue. Mr. Chamberlain said developers of small projects would choose to plant one to two inch caliper trees to keep their costs down and the smaller trees would die twenty years down the line. Mr. Chamberlain clearly expressed his viewpoint that conifers and flowering trees should not be permitted with the required greenbelt.

Mr. Wright agreed with Mr. Chamberlain in terms of the cost for larger caliper trees.

Mr. Schultz stated the caliper inch formula would allow a developer to meet the ordinance requirement with an existing tree of a large caliper, and then no additional trees would be required within the right of way.

Chair Waller announced that Ron Hynd, the City's Landscape Analyst, is scheduled to attend the April 27, 2004 Special/Study Meeting, at which time the proposed formula for greenbelt areas could be discussed, as well as other concerns and issues; i.e., the City's policy on waiving landscape requirements.

Chair Waller requested a recess at 9:23 p.m.

The meeting reconvened at 9:28 p.m.

11. ORDINANCE REVISION DISCUSSION – Special Use Approvals (ZOTA #197)

Mr. Savidant reported briefly on the Schedule of Uses table for residential, non-commercial and non-industrial districts. Mr. Savidant said it is the intent of the Planning Department to incorporate the Schedule of Uses table in the Zoning Ordinance because it is user-friendly.

Mr. Chamberlain, chair of the Special Use Approval sub-committee, suggested that the Commission revisit the Schedule of Uses table, noting that there has been significant membership turnover in the Commission since the sub-committee reviewed the matter in 2002. Mr. Chamberlain noted that at that time the Commission as a whole body agreed with the sub-committee's recommendations.

Mr. Miller cited specific Special Use examples in the City.

It was the consensus of the Commission to move forward with the matter for further review and discussion at a future meeting. Also, the Planning Department will provide the Commission with an overview of the changes agreed to by the Commission at that time.

12. BY-LAWS – Planning Commission Resolution # PC-2004-02-026 regarding Regular, Study and Special Meetings

Mr. Savidant presented a summary of the proposed revisions to the By-laws and Rules of Procedure of the Planning Commission with respect to Regular, Study and Special Meetings.

There was discussion on how the proposed changes to the By-Laws relate to the Open Meetings Act.

The Planning Department noted suggestions and revisions to the proposed By-law changes and will provide a revised copy for review at a future meeting.

13. PLANNING COMMISSION WORK PROGRAM

This item was not discussed.

14. JOINT COMMITTEE SELECTION

Chair Waller reported that a resolution has not been reached with the City Manager with respect to duties, responsibilities, procedures, and the scheduling of meetings for the Joint Committee; therefore, the item would be discussed at a later date.

15. PUBLIC COMMENT – Items on Current Agenda

Ms. Drake-Batts opened a discussion on conflicts of interest and the rules and procedures that should be followed.

Mr. Motzny reported that any matter of pecuniary or monetary gain to a member would be considered a conflict of interest. He noted that the Commission has not established a set policy to follow.

Mr. Wright said that historically should a member divulge a conflict of interest, the body voted whether or not the member should have a vote on the matter. If it was determined that the member should not vote on the matter, it was customary for the member to leave the room during the discussion.

Mr. Miller said he would provide copies of a previous edition of the *Planning and Zoning News* that was dedicated to conflicts of interest.

GOOD OF THE ORDER

Mr. Schultz asked if the Planning Department could provide a development update on recently approved projects.

The request was noted by the Planning Department.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 10:10 p.m.

Respectfully submitted,

David T. Waller, Chair

Kathy L. Czarnecki, Recording Secretary

G:\MINUTES\2004 PC Minutes\Final\03-23-04 Special Study Meeting_Final.doc

DATE: April 1, 2004

TO: John Szerlag, City Manager

FROM: Mark Stimac, Director of Building & Zoning

SUBJECT: Permits issued during the Month of March 2004

	NO.	VALUATION	PERMIT FEE
<u>INDUSTRIAL</u>			
Add/Alter	8	\$985,500.00	\$6,900.75
Sub Total	8	\$985,500.00	\$6,900.75
<u>COMMERCIAL</u>			
New	1	\$236,800.00	\$1,809.25
Shell New	2	\$232,000.00	\$1,641.00
Completion (New)	1	\$990,000.00	\$6,069.00
Tenant Completion	1	\$33,000.00	\$340.75
Add/Alter	16	\$3,243,853.00	\$21,443.00
Wreck	2	\$0.00	\$400.00
Sub Total	23	\$4,735,653.00	\$31,703.00
<u>RESIDENTIAL</u>			
New	7	\$1,206,960.00	\$12,303.75
Add/Alter	27	\$485,959.00	\$6,162.00
Garage/Acc. Structure	3	\$30,313.00	\$665.00
Pool/Spa/Hot Tub	3	\$71,750.00	\$770.00
Repair	1	\$25,000.00	\$285.00
Fire Repair	1	\$40,000.00	\$360.00
Wreck	1	\$0.00	\$150.00
Sub Total	43	\$1,859,982.00	\$20,695.75
<u>TOWN HOUSE/CONDO</u>			
New	18	\$1,650,924.00	\$13,345.50
Add/Alter	4	\$14,183.00	\$460.00
Sub Total	22	\$1,665,107.00	\$13,805.50
<u>MULTIPLE</u>			
Add/Alter	2	\$16,000.00	\$260.00
Sub Total	2	\$16,000.00	\$260.00
<u>RELIGIOUS</u>			
Add/Alter	2	\$110,000.00	\$935.50
Sub Total	2	\$110,000.00	\$935.50
<u>MISCELLANEOUS</u>			
Signs	47	\$0.00	\$5,535.00
Fences	12	\$0.00	\$200.00

Sub Total	59	\$0.00	\$5,735.00
TOTAL	159	\$9,372,242.00	\$80,035.50

PERMITS ISSUED DURING THE MONTH OF MARCH 2004

	NO.	PERMIT FEE
Mul. Dwel. Insp.	114	\$1,140.00
Cert. of Occupancy	49	\$2,375.25
Plan Review	136	\$5,667.00
Microfilm	30	\$314.00
Building Permits	159	\$80,035.50
Electrical Permits	395	\$17,664.00
Heating Permits	354	\$12,155.00
Air Cond. Permits	58	\$2,345.00
Refrigeration Permits	2	\$115.00
Plumbing Permits	170	\$13,711.00
Storm Sewer Permits	7	\$1,080.00
Sanitary Sewer Permits	9	\$379.00
Sewer Taps	12	\$2,556.00
TOTAL	1495	\$139,536.75

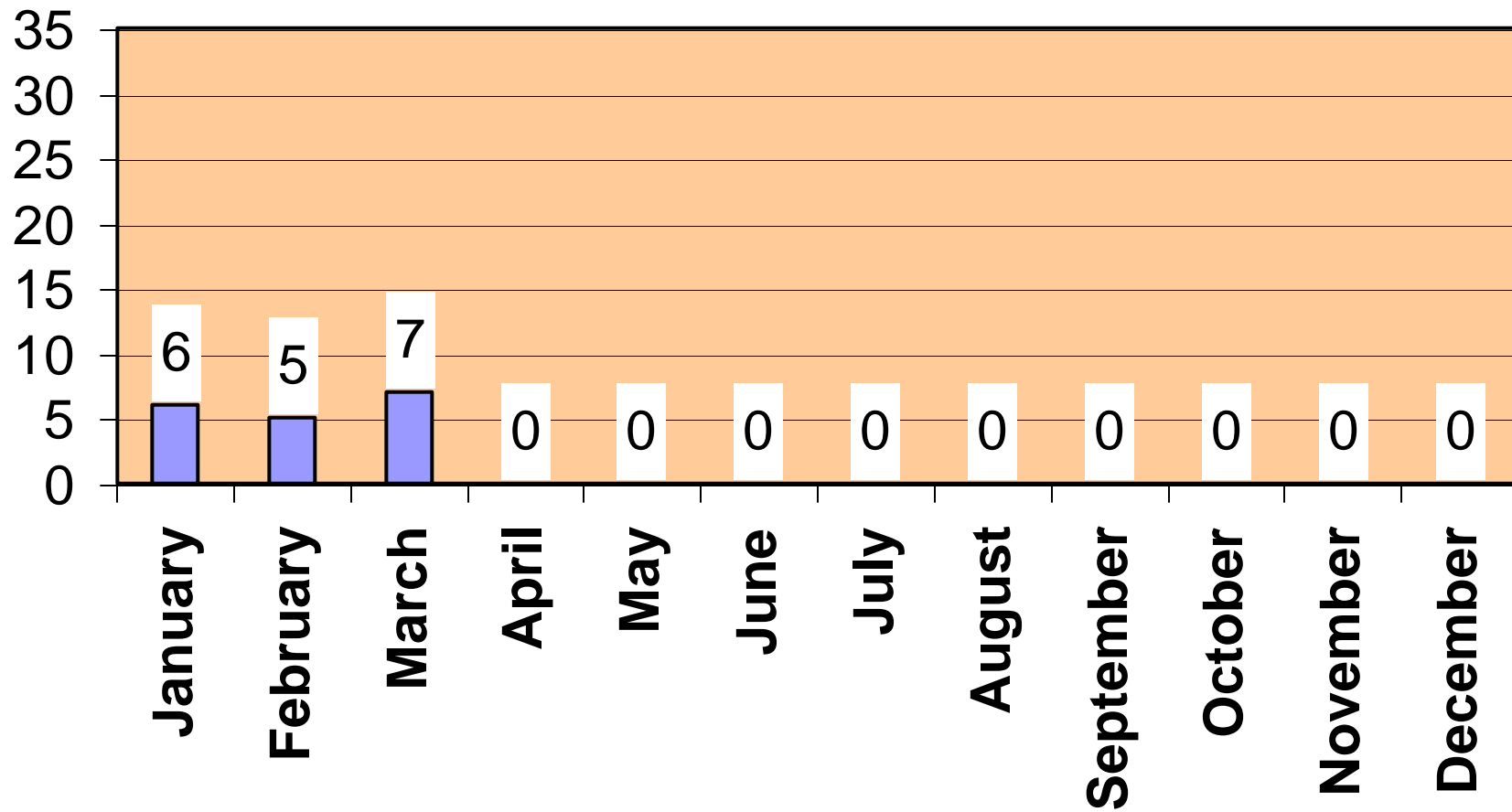
LICENSES & REGISTRATIONS ISSUED DURING THE MONTH OF MARCH 2004

	NO.	LICENSE FEE
Mech. Contr.-Reg.	22	\$110.00
Elec. Contr.-Reg.	36	\$540.00
Master Plmb.-Reg.	13	\$13.00
Sewer Inst.-Reg.	3	\$150.00
Sign Inst. - Reg.	5	\$50.00
E. Sign Contr-Reg.	3	\$45.00
Fence Inst.-Reg.	3	\$30.00
Bldg. Contr.-Reg.	18	\$170.00
F.Alarm Contr.-Reg.	3	\$45.00
TOTAL	106	\$1,153.00

BUILDING PERMITS ISSUED

	BUILDING PERMITS 2003	PERMIT VALUATION 2003	BUILDING PERMITS 2004	PERMIT VALUATION 2004
JANUARY	83	\$3,349,579.00	100	\$5,235,481.00
FEBRUARY	98	\$6,941,418.00	130	\$21,354,496.00
MARCH	106	\$10,102,093.00	159	\$9,372,242.00
APRIL	150	\$7,185,781.00	0	\$0.00
MAY	269	\$13,984,618.00	0	\$0.00
JUNE	209	\$20,116,880.00	0	\$0.00
JULY	196	\$17,222,754.00	0	\$0.00
AUGUST	179	\$7,971,188.00	0	\$0.00
SEPTEMBER	181	\$13,656,695.00	0	\$0.00
OCTOBER	195	\$11,302,769.00	0	\$0.00
NOVEMBER	136	\$5,897,752.00	0	\$0.00
DECEMBER	182	\$18,153,988.00	0	\$0.00
TOTAL	1984	\$135,885,515.00	389	\$35,962,219.00

SINGLE FAMILY DWELLING PERMITS 2004



**BRIEF BREAKDOWN OF NON-RESIDENTIAL BUILDING PERMITS
ISSUED DURING THE MONTH OF MARCH 2004**

Type of Construction	Builder or Company	Address of Job	Valuation
Commercial, Add/Alter	EUGENE ROBERT PULICE	1059 OWENDALE	469,088.00
Commercial, Add/Alter	TODD SACHSE	2801 W BIG BEAVER	1,800,000.00
Commercial, Add/Alter	JIM WINDEL	830 KIRTS 100	250,000.00
Commercial, Add/Alter	CHRISTOPHER JOSEPH	2701 TROY CENTER 300	128,265.00
Commercial, Add/Alter	NORTHERN ELECTRICAL TESTING	2801 W BIG BEAVER	104,000.00
Commercial, Add/Alter	NORTHERN ELECTRICAL TESTING	2800 W BIG BEAVER	104,000.00
Total Commercial, Add/Alter			2,855,353.00
Commercial, Completion New	AIMS GROUP, INC	2138 E BIG BEAVER	990,000.00
Total Commercial, Completion New			990,000.00
Commercial, New Building	WORKSTAGE LLC	2595 BELLINGHAM	236,800.00
Total Commercial, New Building			236,800.00
Commercial, Shell New	STEVE POIRIER	38865 DEQUINDRE	116,000.00
Commercial, Shell New	STEVE POIRIER	38815 DEQUINDRE	116,000.00
Total Commercial, Shell New			232,000.00
Industrial, Add/Alter	DENNIS LETWER	1324 RANKIN	350,000.00
Industrial, Add/Alter	DENNIS LETWER	1346 RANKIN	400,000.00
Total Industrial, Add/Alter			750,000.00
Records 13			Total Valuation: 5,064,153.00

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager 
John M. Lamerato, Assistant City Manager-Finance and Administration 

RE: March 31, 2004 Quarterly Financial Report

DATE: April 13, 2004

Please find attached the Quarterly Financial Report for the Nine Months Ended March 31, 2004.

If you have any questions, please feel free to call.

CITY OF TROY
QUARTERLY FINANCIAL REPORT
FOR THE NINE MONTHS ENDED MARCH 31, 2004

- QUARTER END HIGHLIGHTS
- STATEMENT OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL
- INVESTMENT LISTING (TYPE, LOCATION, RATE, MATURITY DATE)
- INVESTMENT FUND PORTFOLIO - COST VS. MARKET VALUE
- BANK BALANCES (LOCATION, FUND, BALANCE)

QUARTER END HIGHLIGHTS

(MARCH 31, 2004)

GENERAL FUND

- EXPENDITURES IN TOTAL ARE DOWN 1.7% AS A PERCENTAGE OF BUDGET COMPARED TO THE SAME PERIOD A YEAR AGO
- STATE SHARED REVENUE IS PROJECTED AT \$7.0 MILLION VS \$7.5 BUDGETED
- INVESTMENT INCOME CONTINUES TO LAG BEHIND PROJECTIONS

SNOW AND ICE CONTROL

THE CITY USED 11,769 TONS OF SALT THIS PAST SEASON
COMPARED TO 13,544 LAST YEAR

WATER FUND

- CITY OF DETROIT WATER RATE INCREASE WILL BE 26.4%. SEWER RATE INCREASE WILL BE 4.9% RESULTING IN AN OVERALL INCREASE OF 15.8%

DEPARTMENT HIGHLIGHTS

- PASSPORT ACTIVITY – TO DATE 1,085 TRANSACTIONS GENERATING \$32,550 IN REVENUE. PASSPORT PHOTOS WILL BE OFFERED BY APRIL 2004

WEB SITE NEWS

TOP FIVE WEB PAGE HITS

1. TAXES
2. JOB OPENINGS
3. AGENDA PACKETS
4. DEPARTMENT LISTINGS
5. PRESS RELEASES

CITY OF TROY
MONTHLY FINANCIAL REPORT

31-Mar-04

CITY OF TROY
Monthly Financial Report
General Fund
For the Period Ending March 31, 2004

CITY OF TROY GENERAL FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
GENERAL FUND REVENUES					
TAXES	30,399,278	31,065,440	34,607	32,122,971	103.40
BUSINESS LICENSES & PERMITS	39,234	44,000	1,463	31,987	72.70
NON-BUS. LICENSES & PERMITS	1,409,770	1,524,500	130,625	1,162,572	76.26
FEDERAL GRANTS	213,137	50,000	0	17,108	34.22
STATE AGENCIES	7,749,165	7,637,000	1,242,153	5,300,842	69.41
CONTRIBUTIONS-LOCAL	142,450	120,000	742	43,626	36.36
CHARGES FOR SERVICES - FEES	1,037,337	1,109,500	33,226	477,688	43.05
CHARGES FOR SERVICES - REND.	2,386,758	1,719,100	324,663	855,699	49.78
CHARGES FOR SERVICES - SALES	47,490	159,000	8,881	200,600	126.16
CHARGES FOR SERVICES - REC	2,190,857	2,694,160	513,367	2,044,905	75.90
FINES & FORFEITS	896,833	1,027,000	85,242	696,942	67.86
INTEREST AND RENTS	696,307	1,040,700	222,657	607,977	58.42
OTHER REVENUE	367,207	350,940	93,643	308,673	87.96
OTHER FINANCING SOURCES	7,899,144	9,378,040	1,487,610	7,890,120	84.13
TOTAL GENERAL FUND REVENUE	55,474,967	57,919,380	4,178,879	51,761,710	89.37
EXPENDITURES					
LEGISLATIVE	1,853,599	1,956,950	249,019	1,435,447	73.35
FINANCE	4,168,062	4,642,530	371,157	3,207,860	69.10
OTHER GEN GOVERNMENT	2,157,616	2,555,680	241,297	1,667,056	65.23
POLICE	19,837,794	21,426,110	1,473,254	14,993,423	69.98
FIRE	3,579,858	3,683,410	228,813	2,665,260	72.36
BUILDING INSPECTION	1,811,704	1,978,860	154,140	1,440,157	72.78
STREETS	4,930,824	5,324,500	395,849	3,401,490	63.88
ENGINEERING	2,600,192	3,018,400	229,869	1,955,259	64.78
RECREATION	7,247,260	7,910,940	676,156	5,476,108	69.22
LIBRARY	4,474,276	4,744,000	473,513	3,290,808	69.37
TRANSFERS OUT	10,000	678,000	0	678,000	100.00
TOTAL GEN FUND EXPENDITURES	52,671,185	57,919,380	4,493,067	40,210,868	69.43

CITY OF TROY
Monthly Financial Report
Refuse Fund
For the Period Ending March 31, 2004

REFUSE FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	3,800,178	3,870,000	0	3,904,162	100.88
CHARGES FOR SERVICES - REND.	205,650	0	0	152,700	.00
CHARGES FOR SERVICES - SALES	723	500	97	918	183.60
INTEREST AND RENTS	61,289	60,000	4,265	34,090	56.82
OTHER FINANCING SOURCES	280,340	455,230	0	455,230	100.00
TOTAL REVENUE	4,348,180	4,385,730	4,362	4,547,100	103.68
EXPENDITURES					
CONTRACTORS SERVICE	4,031,670	4,200,000	274,312	2,921,079	69.55
OTHER REFUSE EXPENSE	46,522	50,380	6,613	28,256	56.09
RECYCLING	119,948	135,350	10,350	51,842	38.30
TOTAL EXPENDITURES	4,198,140	4,385,730	291,275	3,001,177	68.43

CITY OF TROY
Monthly Financial Report
Capital Fund
For the Period Ending March 31, 2004

CAPITAL FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	7,417,214	7,594,000	0	7,620,171	100.34
FEDERAL GRANTS	78,805	0	0	1,010	.00
STATE AGENCIES	6,157,117	7,533,300	524,169	1,171,190	15.55
CHARGES FOR SERVICES - REND.	168,206	160,000	99,813	230,502	144.06
INTEREST AND RENTS	454,612	400,000	43,852	284,838	71.21
OTHER REVENUE	287,882	0	1,250	119,217	.00
OTHER FINANCING SOURCES	47,050,522	24,869,520	375,000	12,233,910	49.19
TOTAL REVENUE	61,614,358	40,556,820	1,044,084	21,660,838	53.41
EXPENDITURES					
FINANCE	20,805	168,900	2,463	7,389	4.37
OTHER GEN GOVERNMENT	222,101	2,526,990	352,000	1,191,387	47.15
POLICE	307,687	1,803,310	11,334	114,546	6.35
FIRE	451,731	1,436,860	88	6,763	.47
BUILDING INSPECTION	20,871	76,220	5	120,990	158.74
STREETS	14,879,320	23,456,650	2,006,759	6,303,440	26.87
ENGINEERING	18,835	47,160	0	0	.00
RECREATION	10,486,899	5,131,895	23,749	1,634,476	31.85
LIBRARY	249,018	595,010	4,089	134,306	22.57
MUSEUM	244,196	1,756,170	200,635	1,063,759	60.57
STORM DRAINS & RET PONDS	411,374	1,918,720	164	291,327	15.18
INFORMATION TECHNOLOGY	152,996	1,638,935	0	73,968	4.51
TOTAL EXPENDITURES	27,465,833	40,556,820	2,601,286	10,942,351	26.98

CITY OF TROY
Monthly Financial Report
Sanctuary Lake Golf Course
For the Period Ending March 31, 2004

SANCTUARY LK GOLF COURSE FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	0	2,000	0	229	11.45
CHARGES FOR SERVICES - REC	0	100,000	0	22,125	22.13
INTEREST AND RENTS	0	1,000	14	61	6.10
OTHER REVENUE	0	0	0	73	.00
OTHER FINANCING SOURCES	0	0	0	0	.00
TOTAL REVENUE	0	103,000	14	22,488	21.83
EXPENDITURES					
SANCTUARY LAKE GREENS	0	0	530	862	.00
SANCTUARY LAKE PRO SHOP	0	58,910	602	12,635	21.45
SANCTUARY LAKE CAPITAL	0	0	0	0	.00
TOTAL EXPENDITURES	0	58,910	1,132	13,497	22.91

CITY OF TROY
Monthly Financial Report
Sylvan Glen Golf Course
For the Period Ending March 31, 2004

SYLVAN GLEN GOLF COURSE FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	58,910	48,000	68	24,505	51.05
CHARGES FOR SERVICES - REC	1,142,907	1,241,530	32,130	656,268	52.86
INTEREST AND RENTS	112,639	90,000	15,881	77,357	85.95
OTHER REVENUE	16,057	0	0	489-	.00
OTHER FINANCING SOURCES	180,690	11,530	0	11,530	100.00
TOTAL REVENUE	1,511,203	1,391,060	48,079	769,171	55.29
EXPENDITURES					
SYLVAN GLEN GREENS	912,507	892,090	47,288	582,760	65.33
SYLVAN GLEN PRO SHOP	333,980	353,970	22,012	224,099	63.31
SYLVAN GLEN CAPITAL	217,552	145,000	0	30,946	21.34
TOTAL EXPENDITURES	1,464,039	1,391,060	69,300	837,805	60.23

83500
FINANCE
FIN587F3

CITY OF TROY
Monthly Financial Report
Aquatic Center
For the Period Ending March 31, 2004

1
04/04
16:10:21

AQUATIC CENTER FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REC	383,390	431,620	123	123,069	28.51
INTEREST AND RENTS	33,848	28,000	0	21,820	77.93
OTHER REVENUE	7	0	0	7-	.00
TOTAL REVENUE	417,245	459,620	123	144,882	31.52
EXPENDITURES					
AQUATIC CENTER	475,739	578,120	20,896	340,997	58.98
CAPITAL	11,684	50,000	0	0	.00
TOTAL EXPENDITURES	487,423	628,120	20,896	340,997	54.29

CITY OF TROY
Monthly Financial Report
Sewer Fund
For the Period Ending March 31, 2004

SEWER FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	210,191	200,000	2,556	121,676	60.84
CHARGES FOR SERVICES - REND	8,973,121	9,430,000	568,872	5,917,830	62.76
INTEREST AND RENTS	334,579	300,000	26,274	163,886	54.63
OTHER REVENUE	0	0	0	0	.00
TOTAL REVENUE	9,517,891	9,930,000	597,702	6,203,392	62.47
EXPENDITURES					
ADMINISTRATION	8,216,629	8,185,750	528,046	6,232,833	76.14
MAINTENANCE	1,412,032	1,734,630	276,060	1,102,541	63.56
CAPITAL	1,812,800	3,379,600	0	432,911	12.81
TOTAL EXPENDITURES	11,441,461	13,299,980	804,106	7,768,285	58.41

For the Period Ending March 31, 2004

WATER FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	1,025,368	830,000	58,254	719,077	86.64
CHARGES FOR SERVICES - SALES	10,270,198	9,465,500	577,383	5,868,964	62.00
INTEREST AND RENTS	404,796	448,000	47,025	152,732	34.09
OTHER REVENUE	0	0	0	0	.00
TOTAL REVENUE	11,700,362	10,743,500	682,662	6,740,773	62.74
EXPENDITURES					
ADMINISTRATION	8,457,741	8,277,780	924,176	6,375,101	77.01
TRANS AND DISTRIBUTION	173,842	246,330	33,934	157,771	64.05
CUSTOMER INSTALLATION	0	108,370	5,158	5,158	4.76
CONTRACTORS SERVICE	156,818	200,260	11,658	120,143	59.99
MAIN TESTING	60,822	187,610	4,614	37,790	20.14
MAINTENANCE OF MAINS	397,601	335,420	9,708	215,051	64.11
MAINTENANCE OF SERVICES	191,824	197,190	12,157	149,778	75.96
MAINTENANCE OF METERS	189,104	250,480	22,342	137,374	54.84
MAINTENANCE OF HYDRANTS	252,574	336,530	11,981	193,869	57.61
METERS AND TAP-INS	152,435	346,930	10,621	137,695	39.69
WATER METER READING	121,940	83,270	12,303	56,851	68.27
ACCOUNTING AND COLLECTING	59,813	72,140	16,492	31,275	43.35
CAPITAL	3,285,483	8,911,000	66,730	830,866	9.32
TOTAL EXPENDITURES	13,499,997	19,553,310	1,141,874	8,448,722	43.21

83500
FINANCE
FIN661F3

CITY OF TROY
Monthly Financial Report
Motor Pool
For the Period Ending March 31, 2004

1
04/ 04
16:11:26

MOTOR POOL FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%

REVENUES					
CHARGES FOR SERVICES - REND	0	5,000	0	0	.00
INTEREST AND RENTS	3,582,909	3,559,040	266,415	2,666,800	74.93
OTHER REVENUE	351,740	147,400	21,134	209,081	141.85
OTHER FINANCING SOURCES	1,760,280	1,422,810	0	1,422,810	100.00

TOTAL REVENUE	5,694,929	5,134,250	287,549	4,298,691	83.73
=====					
EXPENDITURES					
ADMINISTRATION	472,753	488,890	44,969	350,142	71.62
OPERATION AND MAINTENANCE	2,772,608	2,937,310	228,713	2,095,456	71.34
DPW FACILITY MAINTENANCE	334,450	347,650	52,028	230,891	66.41
CAPITAL	1,353,989	1,360,400	335,301	461,920	33.95

TOTAL EXPENDITURES	4,933,800	5,134,250	661,011	3,138,409	61.13
=====					

04/12/04 14:51:57

04/12/04

T-Bills, Commercial Paper, C.D. etc.

Ref.: INVQY012
Page: 1

PAGE 1

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
101	2004	6	30	7	REPUBLIC	2004	1	26	1.250	CD	260,362		260,362.18
										TOTAL			260,362.18
112	2004	4	1	9	ML	2003	10	31	.960	TBILL	3,668,000		3,652,878.67
	2004	4	1	9	ML	2003	11	6	1.000	TBILL	2,505,000		2,494,975.83
	2004	4	1	9	ML	2003	11	13	.980	TBILL	2,439,000		2,429,894.40
	2004	4	1	7	FLAGSTAR	2004	1	9	1.180	CD	2,008,487		2,008,486.67
	2004	4	2	7	FLAGSTAR	2004	1	30	1.260	CD	2,010,050		2,010,050.00
	2004	4	5	7	MW GTY	2003	12	23	1.310	CD	2,008,147		2,008,146.66
	2004	4	6	7	MW GTY	2004	2	3	1.320	CD	1,021,188		1,021,187.98
	2004	4	8	9	ML	2003	11	20	.910	TBILL	2,493,000		2,484,274.50
	2004	4	9	7	FLAGSTAR	2004	1	16	1.340	CD	2,009,008		2,009,007.78
	2004	4	15	9	ML	2003	12	4	.950	TBILL	2,118,000		2,110,644.66
	2004	4	16	7	FLAGSTAR	2004	1	23	1.160	CD	3,010,952		3,010,952.22
	2004	4	16	7	FLAGSTAR	2004	2	4	1.270	CD	2,010,914		2,010,914.27
	2004	4	22	9	ML	2003	12	12	.910	TBILL	2,092,000		2,085,096.40
	2004	4	23	7	FLAGSTAR	2004	2	6	1.270	CD	3,032,490		3,032,490.44
	2004	4	28	8	ML	2004	2	19	1.040	G WST	3,500,000		3,493,023.33
	2004	4	29	9	ML	2003	12	18	.890	TBILL	2,959,000		2,949,379.96
	2004	4	30	7	FLAGSTAR	2004	2	13	1.260	CD	2,042,993		2,042,992.59
	2004	4	30	7	FLAGSTAR	2004	2	18	1.260	CD	3,024,540		3,024,539.55
	2004	5	6	9	ML	2004	1	15	.870	TBILL	2,489,000		2,482,400.00
	2004	5	13	9	ML	2004	1	22	.840	TBILL	2,231,000		2,225,239.06
	2004	5	20	9	ML	2004	2	6	.890	TBILL	2,878,000		2,870,683.48
	2004	5	21	7	REPUBLIC	2004	2	20	1.250	CD	1,035,626		1,035,626.16
	2004	5	27	9	ML	2004	2	13	.970	TBILL	3,084,000		3,076,427.07
	2004	5	28	7	FLAGSTAR	2004	2	27	1.270	CD	4,017,700		4,017,700.00
	2004	6	3	9	ML	2004	3	12	.930	TBILL	2,129,000		2,124,647.38
	2004	6	4	7	REPUBLIC	2004	1	30	1.250	CD	2,009,633		2,009,633.37
	2004	6	10	9	ML	2004	3	18	.910	TBILL	2,170,000		2,165,443.00
	2004	6	11	7	MW GTY	2003	3	4	1.320	CD	1,007,178		1,007,178.49
	2004	6	11	7	HUNT BANK	2004	3	5	1.090	CD	4,018,460		4,018,460.00
	2004	6	18	7	FLAGSTAR	2004	3	12	1.260	CD	3,051,072		3,051,071.69
	2004	6	25	7	FLAGSTAR	2004	3	19	1.160	CD	1,022,929		1,022,929.05
	2004	6	25	7	REPUBLIC	2004	3	19	1.250	CD	2,012,753		2,012,752.84
	2004	6	29	7	MIDW GUART	2004	3	25	1.320	CD	2,125,374		2,125,373.64
	2004	6	30	8	FITB	1998	12	4	.550	LUG/INV	1,417,589		1,417,588.72
	2004	6	30	8	HUNT BANK	2001	11	20	.560	LUG	515,840		515,840.22
	2004	6	30	8	FITB	2003	2	27	1.000	MAX SAVER	5,101,267		5,101,267.48
	2004	6	30	8	STAND FED	2003	3	27	.750	MM	4,679,998		4,679,998.07
	2004	6	30	8	FITB	2003	5	15	4.500	FHR02 2517	998,362		1,063.49
	2004	6	30	8	NAT CITY	2004	1	1	.850	DREYFUS MM	23,746		23,745.74
	2004	6	30	8	FITB	2004	1	1	.950	MONEY FUND	92,770		92,770.27
	2004	10	30	8	FITB	2003	6	30	5.000	PHRWI2632A	752,000		743,862.51
	2004	10	30	8	FITB	2003	6	30	5.000	PHR 2627JK	2,000,000		483,345.44
	2004	10	30	8	FITB	2003	10	30	5.000	PNR03 97CB	1,862,727		1,252,292.41

7 = CD 8 = Paper 9 = T-Bills

04/12/04 14:51:57

04/12/04

T-Bills, Commercial Paper, C.D. etc.

Ref.: INVQY012
Page: 2

PAGE 2

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2004	12	30	8	NATL CITY	2003	6	30	1.050	FHLB	1,000,000		1,000,000.00
	2004	12	30	8	FITB	2003	7	30	3.600	FHR03 2640	1,308,938		1,177,329.99
	2004	12	30	8	FITB	2003	7	30	5.000	FNR03 79WE	1,500,000		1,080,370.37
	2004	12	30	8	FITB	2004	1	27	5.500	FNR 55YA	465,156		448,592.30
	2004	12	30	8	FITB	2004	1	30	4.250	FHR 2537LA	1,172,380		1,050,652.17
	2004	12	30	8	FITB	2004	1	30	4.000	FHR 2535LK	3,535,000		3,531,000.00
	2004	12	30	8	FITB	2004	2	3	4.000	FNR03 24MN	2,350,000		2,344,125.00
	2004	12	30	8	FITB	2004	2	25	2.000	FHR03 2602	750,000		738,179.41
	2004	12	30	8	FITB	2004	3	25	4.500	FHR 2669DT	700,000	2,100.00	710,500.00
	2005	3	1	8	FITB	2002	10	9		KENT DTAN	209,000		209,000.00
	2005	5	30	8	FITB	2003	5	19	5.000	FHLMC95237	1,031,323		873,284.63
	2005	9	29	8	NATL CITY	2004	3	29	1.500	FHLB	1,000,000		1,000,000.00
	2005	12	22	8	NATL CITY	2004	3	22	2.030	FHLB	1,025,000		1,025,000.00
	2009	4	23	8	FITB	2003	7	23	2.140	FHLB	1,700,000		1,700,000.00
										TOTAL	2,100.00		110,324,309.36
591	2004	6	30	7	COMERICA	1997	7	1	.834	GOV'T POOL	1,832,927		1,832,927.14
	2004	6	30	8	HUNT BANK	2001	11	21	.560	LUG	150,406		150,405.50
	2004	6	30	8	STAND FED	2003	2	20	.980	M MKT	2,681,199		2,681,199.29
	2004	6	30	8	FITB	2003	11	25	1.000	GOVT M MKT	4,202		4,202.47
	2004	6	30	7	REPUBLIC	2004	1	26	1.250	CD	137,427		137,426.81
	2004	6	30	8	NATCITY	2004	3	25	1.000	DREYPUS MM	19,961		19,961.19
	2005	3	4	8	NATL CITY	2004	3	25	1.200	FNMA	1,500,000		1,483,803.33
	2027	1	25	8	FITB	2004	2	2	3.750	FNR03 24MN	1,015,000		1,020,075.00
										TOTAL			7,330,000.73
688	2004	6	30	7	BANK ONE	1997	7	1	.700	GOV'T POOL	1,298,361		1,298,361.87
	2004	6	30	8	STAND FED	2003	3	5	1.200	MM	2,219,583		2,219,583.42
										TOTAL			3,517,945.29
701	2004	5	4	7	MIDW GUART	2004	2	23	1.280	CD	530,691		530,690.72
										TOTAL			530,690.72
										TOTAL	2,100.00		121,963,308.28

* * * E N D O F R E P O R T * * *

7 = CD 8 = Paper 9 = T-Bills

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
----------	----------------------	------------------	------------------------------	------------------------	------------------------------	------------------------------	---------------------------------	----------------------------------	-------------------------------	-----------------------

A change in tier assignment will automatically convert the class of WCMA money fund shares held in your account. The WCMA Agreement and Program Description and the WCMA Fund Prospectus contain more details.

Government and Agency Securities ¹

3,668,000	U.S. TREASURY BILL ZERO% APR 01 2004	10/31/03	99.58	3,652,878	100.00	3,668,000	N/A			
2,505,000	U.S. TREASURY BILL ZERO% APR 01 2004	11/06/03	99.59	2,494,975	100.00	2,505,000	N/A			
2,439,000	U.S. TREASURY BILL ZERO% APR 01 2004	11/13/03	99.62	2,429,894	100.00	2,439,000	N/A			
8,612,000	Security Sub-Total			8,577,748		8,612,000				
2,493,000	U.S. TREASURY BILL ZERO% APR 08 2004	11/20/03	99.65	2,484,274	99.98	2,492,501	N/A			
2,118,000	U.S. TREASURY BILL ZERO% APR 15 2004	12/04/03	99.65	2,110,644	99.96	2,117,152	N/A			
2,092,000	U.S. TREASURY BILL ZERO% APR 22 2004	12/12/03	99.67	2,085,096	99.94	2,090,807	N/A			
2,959,000	U.S. TREASURY BILL ZERO% APR 29 2004	12/18/03	99.67	2,949,379	99.92	2,956,721	N/A			
2,489,000	U.S. TREASURY BILL ZERO% MAY 06 2004	01/15/04	99.73	2,482,400	99.90	2,486,685	N/A			
2,231,000	U.S. TREASURY BILL ZERO% MAY 13 2004	01/22/04	99.74	2,225,239	99.89	2,228,545	N/A			
2,878,000	U.S. TREASURY BILL ZERO% MAY 20 2004	02/06/04	99.74	2,870,683	99.87	2,874,316	N/A			
3,084,000	U.S. TREASURY BILL ZERO% MAY 27 2004	02/12/04	99.75	3,076,427	99.85	3,079,497	N/A			
2,129,000	U.S. TREASURY BILL ZERO% JUN 03 2004	03/12/04	99.79	2,124,647	99.83	2,125,508	N/A			
2,170,000	U.S. TREASURY BILL ZERO% JUN 10 2004	03/18/04	99.79	2,165,443	99.81	2,166,072	N/A			

Total Government and Agency Securities ¹
33,151,984
33,229,808


CITY OF TROY



Current Portfolio

Quantity	Security Description	Symbol	Sector	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Current Yield %
Other											
3,500,000	CP G.WST LF ANN BE 29JAN04 00.000%28APR2004			02/19/04	99.80	3,493,023	99.91	3,496,990	N/A		
Total Other:						3,493,023		3,496,990			
Total of Long Portfolio						36,645,204		36,726,995	*		.31

* - Excludes N/A Items

† Some agency securities are not backed by the full faith and credit of the United States government.

Statement Activity

Date	Transaction	Quantity	Description	Price	Debit	Credit
Security Transactions						
03/04	Redeemed	-2,826,000	US TREASURY BILL ZERO% MAR 04 2004			2,826,000.00
03/11	Redeemed	-2,124,000	U.S. TREASURY BILL ZERO% MAR 11 2004			2,124,000.00
03/15	Purchase	2,129,000	U.S. TREASURY BILL ZERO% JUN 03 2004 FACE VALUE 2129000.0000 PRICE 99.795555	99.795	2,124,647.38	
03/18	Redeemed	-2,165,000	U.S. TREASURY BILL ZERO% MAR 18 2004			2,165,000.00
03/18	Purchase	2,170,000	U.S. TREASURY BILL ZERO% JUN 10 2004 FACE VALUE 2170000.0000 CASH TRADE PRICE 99.790000	99.790	2,165,443.00	
03/25	Redeemed	-2,115,000	U.S. TREASURY BILL ZERO% MAR 25 2004			2,115,000.00
Net Total						4,939,909.62

+

CITY OF TROY

February 27, 2004 to
March 31, 2004

Fifth Third Securities, Inc.

38 Fountain Square • MD1 COM13 • Cincinnati, OH 45202
888-889-1025 • 513-534-8820
Internet Address "www.53.com"

TY OF TROY - GENERAL ACCOUNT

YOUR ACCOUNT NUMBER

30707214

Your investments — cash account

	Quantity	Price on 3/31/04 (\$)	Value on 3/31/04 (\$)	Est. annual income (\$)	Est. yield (%)
Cash and equivalents					
5/3 INSTL GOVT MM PREF CLASS			92,770.27		0.71
Total cash and equivalents			92,770.27		
Fixed income — taxable					
Government and agency bonds					
FEDERAL HOME LOAN BANK CONS BD CPN RATE 21/4% TO 7/05; THEREAFTER CALLABLE dDtd 07/23/03 CPN/MATY 2.25% 07/23/09 FC 01/23/04 @ 100 MOODYS Aaa S&P AAA 31339YJ52	1,700,000	100.0310	1,700,527.00	38,250.00	2.24
Total government and agency bonds			1,700,527.00		
Mortgage & asset-backed securities					
FHLMC PARTN CTF POOL E95237 dDtd 03/01/03 CPN/MATY 5% 03/01/13 FACTOR IS 0.84925 FHLMC E95237	1,000,000	102.9450	874,260.97	42,462.52	4.85
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2002 CL 25 dDtd 10/01/02 CPN/MATY 4.5% 10/15/17 FACTOR IS 0.00069 FHR02 2517JH	1,540,000	102.2590	1,092.02	48.05	4.40
FEDERAL NATL MTG ASSN GTD PASS THRU CTF REMIC 2003 CL 24MN dDtd 03/01/03 CPN/MATY 4% 01/25/27 FACTOR IS 1.00000 FNR03 24MN	2,350,000	100.6270	2,364,734.50	94,000.00	3.97
FEDERAL NATL MTG ASSN GTD PASS THRU CTF REMIC 2003 CL 55 YA dDtd 05/01/03 CPN/MATY 5.5% 11/25/31 FACTOR IS 0.89237 FNR03 55YA	500,000	100.0170	446,260.92	24,540.17	5.49
FEDERAL NATL MTG ASSN MULTICLA MTG PARTN CTF REMIC 2003 CL 79 dDtd 07/01/03 CPN/MATY 5% 11/25/32 FACTOR IS 0.73632 FNR03 79WE	1,500,000	99.1060	1,094,607.91	55,224.09	5.04
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF SER 2002 CL 2537 dDtd 12/01/02 CPN/MATY 4.25% 05/15/30 FACTOR IS 0.51650 FHR02 2537LA	2,000,000	100.8710	1,042,017.03	43,903.32	4.21
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF SER 2002 CL 2535 dDtd 12/01/02 CPN/MATY 4% 08/15/26 FACTOR IS 1.00000 FHR02 2535LK	3,500,000	100.8580	3,530,030.00	140,000.00	3.96
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF SER 2003 CL 2602 dDtd 04/01/03 CPN/MATY 5.5% 09/15/32 FACTOR IS 0.92124 FHR03 2602JA	800,000	100.8580	743,321.37	40,534.88	5.45
FEDERAL NATL MTG ASSN GTD PASSTHRU CTF REMIC 2003 CL 97 dDtd 09/01/03 CPN/MATY 5% 05/25/18 FACTOR IS 0.62827 FNR03 97CB	2,000,000	99.9260	1,255,622.91	62,827.63	5.00
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 26 dDtd 06/01/03 CPN/MATY 5% 07/15/31 FACTOR IS 0.24638 FHR03 2627JK	2,000,000	100.2480	493,996.40	24,638.71	4.98
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 26 dDtd 06/01/03 CPN/MATY 5% 06/15/31 FACTOR IS 1.00000 FHR03 2632AA	752,000	100.4830	755,632.16	37,600.00	4.97
FEDERAL HOME LN MTG CORP MUTLI MTG PARTN CTF REMIC 2003 CL 26 dDtd 07/01/03 CPN/MATY 3.5% 03/15/33 FACTOR IS 0.90809 FHR03 2640WA	1,300,000	99.1320	1,170,275.03	41,318.26	3.53



Fifth Third Securities, Inc.

38 Fountain Square • MD1 COM13 • Cincinnati, OH 45202
888-889-1025 • 513-534-8820
Internet Address "www.53.com"

YOUR BROKERAGE ACCOUNT STATEMENT

February 27, 2004 to
March 31, 2004

CITY OF TROY - GENERAL ACCOUNT

YOUR ACCOUNT NUMBER
30707214

Your investments — cash account cont'd

	Quantity	Price on 3/31/04 (\$)	Value on 3/31/04 (\$)	Est. annual income (\$)	Est. yield (%)
Mortgage & asset-backed securities cont'd					
FEDERAL HOME LN MTG CORP MUTLI MTG PARTN CTF REMIC 2003 CL 26 dDtd 08/01/03 CPN/MATY 4.5% 11/15/32 FACTOR IS 1.00000 FHR03 2669DT	700,000	101.5660	710,962.00	31,500.00	4.43
Total mortgage & asset-backed securities			14,482,813.22		
Municipal bonds					
KENT CNTY MICH VAR RATE TAXABL TAX NTS BOOK ENTRY ONLY OPT PU 05/16/02 100.000 & EA DAY NOTIF DATES 7 DAYS B4 PUT dDtd 05/10/02 CPN/MATY 0% 03/01/05 FC 07/01/02 @ 100 PRE-REF N MOODYS MIG1 S&P SP1+ 490278P93	209,000	100.0000	209,000.00		
Total municipal bonds			209,000.00		
Total taxable fixed income			16,392,340.22		
Total fixed income			16,392,340.22		
Value of your cash account			16,485,110.49		
Total value of your account			\$16,485,110.49		

Activities in your account — cash account

Date	Activity	Details	Quantity	Price (\$)	Amount added to (deducted from) your account(\$)
03/01/04	TAXABLE BND INT	KENT CNTY MICH VAR RATE TAXABL TAX NTS BOOK ENTRY ONLY OPT PU CPN/MATY 0% 03/01/05			180.45
03/02/04	SWEEP	SWEPT TO 5/3 INSTL GOVT MM PR AUTOMATIC PURCHASE			(180.45)
03/15/04	SELL	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 26 CPN/MATY 5% 06/15/31	(95,000)	100.0000	95,000.00
03/15/04	SELL	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 25 CPN/MATY 5.25% 08/15/31	(3,000,000)	100.0000	10,961.13
03/15/04	TAXABLE BND INT	FHLMC PARTN CTF POOL E95237 ON 1000000 CPN/MATY 5% 03/01/13			3,577.38
03/15/04	TAXABLE BND INT	FHLMC PARTN CTF POOL E95237 ON 1000000 CPN/MATY 5% 03/01/13			3,577.38
03/15/04	TAXABLE BND INT	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF SER 2002 CL 2535 ON 3500000 CPN/MATY 4% 08/15/26			11,666.66
03/15/04	TAXABLE BND INT	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF SER 2003 CL 2602 ON 800000 CPN/MATY 5.5% 09/15/32			3,420.06
03/15/04	TAXABLE BND INT	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF SER 2002 CL 2537 ON 2000000 CPN/MATY 4.25% 05/15/30			3,968.94
03/15/04	TAXABLE BND INT	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2002 CL 25 ON 1540000 CPN/MATY 4.5% 10/15/17			4.11
03/15/04	TAXABLE BND INT	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 26 ON 847000 CPN/MATY 5% 06/15/31			3,529.16

BANK ACCOUNTS
3/31/2004

BANK	FUND	CHECKING ACCT BALANCE	POOLED INVESTMENT BALANCE	TOTAL
National City	Trust & Agency	666,588.56		666,588.56
Fifth Third	General		9,138,889.26	9,138,889.26
Fifth Third	Special Assessment		112,735.09	112,735.09
Fifth Third	Sewer		112,735.09	112,735.09
Fifth Third	Water		2,093,273.20	2,093,273.20
Fifth Third	Trust & Agency		18,602.11	18,602.11
Fifth Third	Employees Retirement		156,984.72	156,984.72
Fifth Third	Investment-MM		5,101,267.48	5,101,267.48
Fifth Third	Investment -LUG		1,510,981.42	1,510,981.42
Standard Federal	Investment-MM		4,679,998.07	4,679,998.07
Standard Federal	Sewer		423,993.34	423,993.34
Standard Federal	Water		2,681,199.29	2,681,199.29
Standard Federal	Special Assessment		2,219,583.42	2,219,583.42
Standard Federal	Budget Stablization		672,750.18	672,750.18
		666,588.56	28,922,992.67	29,589,581.23

April 2004

April 2004							May 2004						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29
							30	31					

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
			April 1	2	3
			10:00am Senior Advisory (Community Center)		4
5	6	7	8	9	10
Election - City General	10:00am Board of Canvassers (Conference Room D) 7:00pm Ethnic Issues Advisory Board (Conference Room C) 7:30pm Planning - Study (Council Boardroom)	7:00pm Persons w/Dis (Conference Room Lower Level)	7:30pm Library Adv (Library Conference Room) 7:30pm Parks and Recreation Bd (Community Center)		11
12	13	14	15	16	17
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:30pm Planning Commission - Reg (Council Chambers)	3:00pm ERS Meeting - Conf Room C (room has already been booked) (agenda)			18
19	20	21	22	23	24
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:30pm Historic District (Conference Room C)	7:30am DDA Meeting (Conference Room Lower Level) 6:30pm Study Session-Budget Review (Council Boardroom)	7:00pm Cable Adv (Conference Room C)		25
26	27	28	29	30	
6:30pm Study Session-Budget Review (Council Boardroom)	7:30pm Planning-Study (Council Boardroom) 7:30pm Historical Commission (Troy Museum) 7:30pm Troy Daze (Community Center)	7:00pm Troy Youth (Conference Room Lower Level) 7:30pm Study Session-Budget Review (Council Boardroom)			

4/19 PH Comm. Veh. App. 6881 Westaway
 4/19 PH Park Var. Req. 440 E. Maple
 4/19 PH Park. Var. Req. 345 Minnesota
 4/19 PH Comm. Veh. App. 5184 Rochester

May 2004

May 2004						
S	M	T	W	T	F	S
2	3	4	5	6	7	1
9	10	11	12	13	14	8
16	17	18	19	20	21	15
23	24	25	26	27	28	22
30	31					29

June 2004						
S	M	T	W	T	F	S
6	7	1	2	3	4	5
13	14	8	9	10	11	12
20	21	15	16	17	18	19
27	28	22	23	24	25	26
		29	30			

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					May 1
					2
3	4	5	6	7	8
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:00pm Ethnic Issues Advisory Board (Conference Room C) 7:30pm Planning - Study (Council Boardroom)	Precinct Delegate Filing Deadline- 7:00pm Persons w/Dis (Conference Room Lower Level)	10:00am Senior Advisory (Community Center)		9
10	11	12	13	14	15
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:30pm Planning Commission - Reg (Council Chambers)	3:00pm ERS Meeting - Conf Room C (room has already been booked) (agenda)	7:30pm Library Adv (Library Conference Room) 7:30pm Parks and Recreation Bd (Community Center)		16
17	18	19	20	21	22
	7:30pm Historic District (Conference Room C)	7:30am DDA Meeting (Conference Room Lower Level)			23
24	25	26	27	28	29
7:30pm City Council-Regular (Council Chambers)	7:30pm Planning-Study (Council Boardroom) 7:30pm Historical Commission (Troy Museum) 7:30pm Troy Daze	7:00pm Troy Youth (Conference Room Lower Level)			30
31					

June 2004

June 2004						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July 2004						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
	June 1	2	3	4	5
	7:00pm Ethnic Issues Advisory Board (Conference Room C) 7:30pm Planning - Study (Council Boardroom)	7:00pm Persons w/Dis (Conference Room Lower Level)	10:00am Senior Advisory (Community Center)		
					6
7	8	9	10	11	12
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:30pm Planning Commission - Reg (Council Chambers)	3:00pm ERS Meeting - Conf Room C (room has already been booked) (agenda)	7:30pm Library Adv (Library Conference Room) 7:30pm Parks and Recreation Bd (Community Center)		
					13
14	15	16	17	18	19
Election - School	7:30pm Historic District (Conference Room C)	7:30am DDA Meeting (Conference Room Lower Level)			
					20
21	22	23	24	25	26
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:30pm Planning-Study (Council Boardroom) 7:30pm Historical Commission (Troy Museum) 7:30pm Troy Daze (Community Center)	7:00pm Troy Youth (Conference Room Lower Level)			
					27
28	29	30			



For Best Innovation in Facility Design, Construction & Decoration



TROY COMMUNITY CENTER

Troy, Mich.

Innovation: Troy Community Center **By Heather Peavey, Associate Editor**

You can please some people some of the time, but you can't please everyone all of the time. The folks at the Troy Community Center, Troy, Mich., know that means you have to make your pleasing moments count.

Designers had found the perfect site for this new facility, but there was a catch: It was the home of the old Troy High School, a beloved community landmark. "The site of the school was the most appropriate for the center because it was located in the 'heart' of Troy on one of the last major parcels of undeveloped land in the city," says Community Affairs Assistant Erika Poplar.

Adopting an out-with-the-old and in-with-the-new approach would alienate people the center hoped to embrace, but relocating the facility would make it out-of-the-way and inconvenient. So, the designers came up with an innovative idea that would give Troy the state-of-the-art community center it deserved, and keep nostalgic residents happy.

"The Troy Community Center was designed based on an adaptive-reuse concept," explains Poplar. "Citizens wanted to preserve part of the shuttered, 50-year-old Troy High School, so, using this design approach, half of the school's steel frame was demolished, while major spaces like the gymnasium, pool and music rooms were left intact. These spaces were incorporated into the new design."

The inside has roots firmly planted in Troy tradition, but the 127,000-square-foot building's exterior is contemporary, with a collage of parts and pieces that represent the center's focus on serving a diverse clientele. The facility houses an aquatic center, gymnasium, fitness room, cardio and dance studios, wellness room, senior store and reading room, preschool, teen room, game room, computer lab, arts and crafts room, café, pro shop, administrative offices, meeting rooms, banquet hall with a portable stage area and a childcare room.

"The center met its specific goal of functioning as 'a sense of place' in the community because of its central location, which makes it equally accessible to all citizens, and because of its affordability," says Poplar. More than 15,000 annual, monthly and daily passes have been sold since the center opened in 2002, and last year more than 600,000 people visited the Troy Community Center. "We now rent out our banquet and meeting rooms and aquatic center for special events, which generates additional revenue for the center," says Poplar. "We are enjoying robust profits, and have more amenities and programming than ever before to offer members."

The Troy Community Center has something few new designs can boast: A rich history that helps establish a connection with members as soon as they step inside its doors. Its marriage of tradition and innovation is a Nova7 Award-winning combination. FM

©Copyright 2004. Fitness Management

April 7, 1964 G-07b

Dear Chief Craft-

The members of the
Aircraft Women's Club
really enjoyed Officer
Nokie Wapner's talk on
security for ourselves and
our homes - She is a person-
able and excellent speaker
and gave us a lot of helpful
information - We appreciate
your loaning her to a
neighboring community
(Bldg. Insp) -

Thank you - most sincerely -
Margaret Snyder
Program Chairman

CC: City Mgr.
Capt. Mayne
Off. Kaptun
File

RECEIVED
Chief of Police

4/12/64 CC

Mary Ann Nemshick

From: Brian Stoutenburg
Sent: Friday, April 09, 2004 8:14 AM
To: Mary Ann Nemshick
Cc: Hedy Brodak; Mary E Cram
Subject: FW: Appreciation of Troy Library

Mary Ann, please prepare this as a "letter of Apprediation" for Council, and post this on the pats on the back and in the staff lounge

-----Original Message-----
From: HFlem29@aol.com [mailto:HFlem29@aol.com]
Sent: Friday, April 09, 2004 8:11 AM
To: stoutenbbh@ci.troy.mi.us
Subject: Appreciation of Troy Library

Dear Library Director,

As a long-time patron of the Troy Public Library, I want to express my appreciation of all of the services provided there. The library is continually improving and updating, allowing patrons like me to access some very helpful sources. I especially enjoy having access to the on-line databases which can be accessed from home. And the computer/technology room is a terrific resource, too.

The staff is always helpful, resourceful and courteous.

Thanks, Troy Library. I'm a fan!

Nora B. Fleming
Troy



TO: Mayor and Members of Troy City Council
FROM: John Szerlag, City Manager
 John Lamerato, Assistant City Manager- Finance & Administration
 Tonni L. Bartholomew, City Clerk
 Lori Grigg Bluhm, City Attorney
DATE: April 14, 2004
SUBJECT: Campaign Finance Statements on Web Page

At the last City Council meeting, Council was asked to consider placing campaign finance statements on the City web page. For the reasons stated below, we recommend that City Council reject the proposal, especially since the documents are available to the general public in hard copy format.

The Oakland County Clerk's office indicates that they intend to place campaign finance statements on line on the County web page. They confirmed that this is a priority, and that they intend on purchasing scanners in the immediate future to facilitate this process. At that time, the City website can link to the County website for easy access to these statements. A link could also be provided for the State of Michigan website, which currently posts state campaign finance statements in an on-line format.

Depending on the office, the campaign finance statements are required to be filed with Oakland County or with the State of Michigan. There is no authority for the City to require campaign finance statements be filed with the City, and the state statute would preempt the enactment of a filing mandate with the City.¹ Therefore, the City would need to obtain the campaign financing documents from Oakland County. Since Oakland County is not willing or able to forward these documents for free, a City of Troy employee would be required to obtain hard copies of the documents, at a cost of twenty- five cents per page, exclusive of the mileage and staff time. Although many local campaign finance statements are ten pages or less, the statements can be over a hundred pages long, depending on the number of contributors, number of amendments, etc. Once the documents are retrieved from Oakland County, they would need to be scanned to be included on the City of Troy webpage. In addition, Oakland County reports that campaign finance statements can be updated on an almost daily basis. Since it is not practical to have a City employee monitor the campaign finance statements on a daily basis to obtain amendments, it is possible that the City's information would be inaccurate.

Another suggested approach is to have the candidate committees voluntarily provide their campaign finance statements to the City. As stated above, since these reports can be updated regularly, campaign committees may feel that providing up to date information is unduly burdensome. In addition, there is no penalty for providing false statements to a City, and therefore no guarantee of the accuracy of the reports that are submitted without comparing the documents to the originals filed with the County and/or State. Lastly, if one of the campaign

¹ In an Attorney General Opinion, 1977-1978 OAG 5211, the City of Detroit was precluded from enacting more restrictive campaign finance disclosures then the state statute, which only required disclosure for all contributions exceeding \$20.00

committees refuses to “voluntarily” provide the requested information, and our web site infers this refusal in a negative manner, the campaign committee is likely to argue that the City is improperly exceeding its authority by requiring the documentation to be filed with the City.

As an aside, the requirement to file campaign finance statements with the City, in addition to the required filing with the State or County, may cause confusion as to the proper filing official. For all of these reasons, it is our recommendation that the campaign finance statements not be included on the City’s website.

If you have any questions concerning the above, please let us know.

Whereas, the Troy City Council has recently discussed the need for more Ethical Behavior from members of the City Council; and

Whereas, the three newly elected members to the city council have repeatedly stated at the various candidate forums and in their literature that they support an Ethical Code for members of Troy's City Council; and

Whereas, the State of Michigan currently posts on their web site the candidate committee campaign finance reports for all candidates that run for state offices; and

Whereas, all local election Campaign Finance Act required campaign statements are available for viewing by the public at the Oakland County Clerks Office; and

Whereas, this council wishes to maintain an open and honest relationship with all residents and businesses in Troy; and

Finally, Whereas, to show that campaign contributions have no impact on the decision making process for the Troy City Council,

Be it Resolved, that the office of the Clerk for the City of Troy shall keep and have available for public inspection a hard copy of all required Campaign Finance Act statements filed with the Oakland County Clerks office by all committees involved in the election of candidates for City of Troy offices (Mayor and Council Member) and all committees involved in the passage or defeat of local City of Troy ballot questions beginning with and including the April 5, 2004 City Election, and

Be it Further Resolved, that all committees whose Campaign Finance Act statements will be made available in the office of the clerk for the City of Troy will be contacted for their voluntary approval to have their campaign finance reports posted on the City's web site; and

Be it Further Resolved, that the City of Troy will post on it's web site, the campaign finance reports from all Candidate committees, Independent committees, and PAC committees that Voluntarily authorize the posting of their reports for a time of no less than 6 years; and

Be it Finally Resolved that any committee that does not provide the authorization will have listed next to their committee name the statement that "Authorization to post the committee's campaign finance reports were denied by the committee".

April 14, 2004

To: John Szerlag, City Manager
From: Gary A. Shripka, Assistant City Manager/Services
Subject: SOCRRA Representative Requirements

During the April 12th, 2004 Council Meeting Staff was directed to provide information listing requirements, if any, to represent a constituent Municipality on the SOCRRA Board of Trustees.

In providing the information requested please find a copy of SOCRRA Articles of Incorporation. Article VII, attached with this memo.

In reading the first sentences of Article VII it would appear there are no requirements as to who can serve on the board. Also, the last sentence of Article VII permits removal of a representative or alternate at any time by the governing body of the Municipality, which he represents.

Should you require additional information, kindly advise.

GAS/bt

ARTICLE IV

This Authority shall be a body corporate with power to sue or to be sued in any court of this state. The Authority shall be comprised of the territory lying within the incorporating municipalities. No change in municipal jurisdiction over any territory within the Authority shall in any manner affect the Authority or its boundaries. It shall possess all the powers granted by statute and by these Articles, and all powers necessary to carry out the purpose of its incorporation and these incidents thereto. The enumeration of any powers herein shall not be construed as a limitation upon its general powers unless the context shall clearly indicate otherwise. It shall have a corporate seal.

ARTICLE V

This Authority shall continue in existence until dissolved by act of the parties or by law; provided, that it shall not be dissolved if such dissolution would operate as an impairment of any of its contracts.

ARTICLE VI

The fiscal year of the Authority shall commence on the first day of July in each year and end on the 30th day of June of the preceding year.

ARTICLE VII

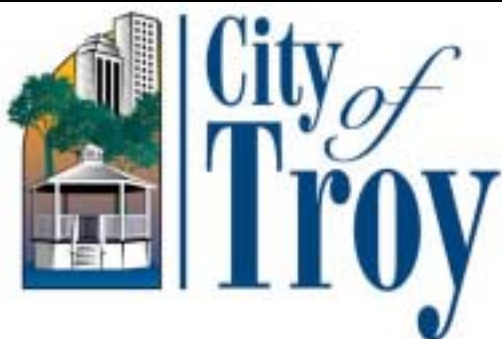
The governing body of this Authority shall be a Board of Trustees (sometimes hereinafter referred to as the "Board") which shall be constituted of one (1) representative from each constituent municipality, who shall be appointed by the governing body of such municipality on or before the 15th day of June of each year, and shall serve during the next fiscal year and until his successor is appointed. The members of the Board of Trustees shall serve without compensation but the Board in its discretion may authorize the payment of the actual expenditures of any member, incurred in connection with the business of the Authority. The Board shall meet on the second Wednesday in July of each year, at 2:00 o'clock p.m., at the place of holding the meetings of the Board for the purpose of organization. At such organization meeting, the Board shall select a Chairman, a Vice-Chairman and a Secretary, who shall be members of the Board. At such organization meeting, the Board shall also select a Treasurer, a Finance Director, and an Assistant Secretary, who may or may not be members of the Board.

The positions of Treasurer and Assistant Secretary may be held by the same person; or the position of Finance Director and Assistant Secretary may be held by the same person, but in that event such person shall not be authorized to act both as Assistant Secretary and Finance Director in signing and countersigning checks. Such officers shall serve until the organization meeting of the following year and/or until their respective successors shall be selected. Providing that no person shall serve as Chairman, Vice-Chairman or Secretary after he ceases to be a member of the Board. Within twenty (20) days after this Authority shall become effective, the governing body of each constituent municipality shall select its representative on the Board to serve for the remainder of the then fiscal year and within thirty (30) days after such effective date the Board members shall meet for the purpose of organizing the Board for the balance of such fiscal year. The time and place of such meeting shall be fixed in writing by members of the Board holding at least fifty-one per centum of the voting power of the entire Board, and notice thereof served upon all members in the manner provided in Article X. The agreement for such meeting may name the temporary chairman thereof. The governing body of each constituent municipality shall at the time of appointing its regular representative on the Board of Trustees also appoint an alternate representative who shall have the right to act in the place of the regular representative in event of the latter's absence from any meeting of the Board of Trustees, but his authority shall be limited to the business conducted at such meeting. For any other purpose he shall not be considered a member of the Board. It shall not be necessary to serve notice of meeting upon such alternates. No appointment to the Board and no selection of an officer of the Board shall be deemed to be invalid because it was not made within or at the time specified in these articles.

Any board member or any alternate may be removed at any time by action of the governing body of the municipality which he represents. Any officer may be removed by action of the Board of Trustees.

ARTICLE VIII

In event of a vacancy on the Board, the governing body of the municipality entitled to such representative shall fill the vacancy for the unexpired term. In event of a vacancy in any office of the Board, such vacancy shall be filled by the Board for the unexpired term. In case of the temporary absence or disability of any officer, the Board may appoint some person to



RULES OF PROCEDURE FOR THE CITY COUNCIL CITY OF TROY, MICHIGAN

Adopted: November 3, 2003

1.	APPOINTMENT OF MAYOR PRO TEM	1
2.	DESIGNATION OF ACTING MAYOR	1
3.	REGULAR MEETINGS	1
4.	AGENDA	1
5.	ORDER OF BUSINESS	1
6.	REGULAR BUSINESS.....	2
7.	CABLE CASTING OF CITY COUNCIL MEETINGS.....	2
8.	MINUTES	2
9.	PROCLAMATIONS	3
10.	RECONSIDERATION OF QUESTIONS.....	3
11.	RESCISSION OF QUESTIONS.....	3
12.	PUBLIC HEARING	3
13.	CONSENT AGENDA	3
14.	APPOINTMENTS	3
15.	VISITORS.....	4
16.	POSTPONE	4
17.	RULES OF ORDER	5
18.	MISCELLANEOUS EXPENSES	5
19.	EXPENSES: OUT-OF-TOWN TRAVEL FOR CITY BUSINESS.....	5
20.	ABSENCES AT COUNCIL MEETINGS.....	5
21.	SUSPEND RULES	5
22.	COUNCIL DISCUSSION.....	5
23.	AGENDA ITEMS SUBMITTED BY COUNCIL MEMBERS:	5
24.	VIOLATIONS.....	6

1. APPOINTMENT OF MAYOR PRO TEM

The selection of Mayor Pro Tem shall proceed in a linear fashion based on seat rotation in the following order: Lambert, Beltramini, Eisenbacher, Broomfield, Howrylak, Stine.

2. DESIGNATION OF ACTING MAYOR

In the absence or disability of the Mayor and the Mayor Pro Tem, the Council Member present who has served longest shall be designated Acting Mayor and shall perform the duties of the Mayor.

3. REGULAR MEETINGS

Regular meetings shall be held in the Council Chambers at 7:30 P.M on the first and third Monday each month, except for holidays or holiday-eves recognized by the City of Troy, regular or special election days, except school district elections, or unless canceled by resolution of the Council.

4. AGENDA

(a) Regular Agenda: A printed agenda for each regularly scheduled meeting shall be produced at least forty-eight (48) hours in advance of the meeting. Every item of business to come before the Council shall be filed with the City Clerk by noon on the Wednesday preceding the Monday on which the Council meets. It shall be the duty of the City Clerk to have delivered, as soon as practical, to each member of the Council a complete agenda of the items to be considered at the following meeting. Each item on the agenda shall have sufficient explanation to indicate its intent. All questions introduced that do not appear on the agenda will be referred to a later meeting, except by suspension of these rules. A packet, excluding all confidential items, will be posted on the City's Website at least 48 hours prior to Council meetings.

(b) Closed Session Agenda: Where a Closed Session is requested of a pending case, the specific name(s) is to be included pursuant to MCL 15.268 (e), even though the specific name(s) is not technically required under the Open Meetings Act. Where a Closed Session is requested of any collective bargaining unit, the specific name(s) is to be included pursuant to MCL 15.268 (c), even though not technically required under the Open Meetings Act.

5. ORDER OF BUSINESS

At each regular meeting of the Council, the business to be considered shall be taken up for consideration and disposition in the following order.

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Certificates of Appreciation
6. Carryover Items

7. Public Hearings
8. Postponed Items
9. Public Comment
 - A. Council will move forward all of the items on which members of the audience would like to address.
 - B. Items not on the Agenda
10. Consent Agenda
Address Remaining E Items
11. Regular Business
Address Remaining F Items
12. Council Referrals
Action items brought forward by Mayor and Council
13. Council Comment
14. Reports and Communications
15. Public Comment – Limited to people who have not addressed Council during the 1st Public Comment Section
16. Study Items
17. Public Comment Section
18. Adjournment

6. REGULAR BUSINESS

Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair (during the public comment portion of the agenda item's discussion). Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt members of the public during their comments. For those addressing City Council, petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of Council and all other interested people, their time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 14, as amended August 4, 2003. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair.

7. CABLE CASTING OF CITY COUNCIL MEETINGS

All City Council Meetings will be broadcast on WTRY, with the exception of Closed meetings of City Council.

8. MINUTES

- a. Regular Minutes: The minutes will be distributed to the Council prior to their approval. The minutes will be placed on the Consent Agenda for approval.
- b. Closed Session Minutes: Where a Closed Session is requested for discussion of a pending case, the specific name(s) is to be included pursuant to MCL 15.268 (e), even though the specific name(s) is not technically required under the Open Meetings Act. Where a Closed Session is requested of any collective bargaining unit, the specific name(s) of a collective bargaining unit is to be included pursuant to

MCL 15.268 (c), even though not technically required under the Open Meetings Act.

9. PROCLAMATIONS

Proclamations shall be included in the agenda under Reports and Communications and may be brought before Council for consideration by any member. Proclamations will be placed on the Consent Agenda for approval.

10. RECONSIDERATION OF QUESTIONS

Reconsideration of any vote of the Council may be made by either side of the voted motion and shall require the affirmative vote of the majority of the Council Members.

11. RESCISSION OF QUESTIONS

Rescission of any vote of the Council shall require the affirmative vote of the majority of the Council Members.

12. PUBLIC HEARING

Public Hearings will be held after required notice has been provided. Notices shall inform recipients of possible continuations of hearings. The City Council may upon affirmative vote of a majority of its members "continue" said hearing at a future date designated in the resolution. If the City Council elects to continue the Public Hearing it will appear in the designated meeting Agenda under the topic of "Public Hearings". Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of Council.

13. CONSENT AGENDA

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may ask a question regarding an item as well as speak in opposition to the recommended action by removing an item from the Consent Agenda and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard.

14. APPOINTMENTS

A. Appointments to Boards, Commissions and Committees:

The Mayor shall, with City Council concurrence, appoint members of Boards or Committees as governed by State Statute or local ordinances.

The Mayor Pro Tem will contact incumbents to determine their interest in being nominated for reappointment.

The Mayor or any Council Member desiring to nominate a person for appointment to a Board, Commission, or Committee shall submit such name, along with a brief summary of background and personal data as to nominee's qualifications, except that such a resume shall not be required for the re-nomination of a current member, or if

the Council unanimously agrees that a resume is not necessary. Resumes will be submitted on or before the time of voting.

Nominations will occur during any regular meeting of the Council. A resolution to nominate will be considered during the "Regular Business" of the agenda. All nominations are subject to Section "B" which appears below.

B. Method of Voting on Nominees.

1. Where the number of nominees does not exceed the number of positions to be filled, a roll call vote shall be used.
2. Where the number of nominations exceeds the number of positions to be filled, voting shall take place by the City Clerk calling the roll of the Council and each Council Member is to indicate the names of the individuals he/she wishes to fill the vacancies
3. When no candidate receives a majority vote, the candidate(s) with the least number of votes shall be eliminated from the ensuing ballot.
4. No member of the City Council shall serve on any committee, commission or board of the City of Troy, except the Retirement System Board of Trustees, unless membership is required by Statute or the City Charter.
5. Persons nominated, but not appointed during this process will be sent a letter thanking them for their willingness to serve the community.
6. Recognition will be given to persons who have concluded their service to the community on Boards and Commissions.

15. VISITORS

Any person not a member of the Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. Consistent with Order of Business #11, the City Council will move forward the specific Business items, which audience members would like to address under item 10A. The mayor shall announce the items which are to be moved forward and will ask the audience if there are any additional items which they would like to address. All Business Items that members of the audience would like to address will be brought forth and acted upon at this time. Items will be taken individually and members of the audience will address council prior to council discussion of the individual item.

16. POSTPONE

A motion to postpone may be made for a definite period of time. Items will automatically appear on the appropriate agenda.

17. RULES OF ORDER

Robert's Rules of Order, Newly Revised 10th Edition, as clarified by the City Clerk, is hereby adopted and made a part hereof, except as modified by these Rules of Procedure, the Charter, and the City Code.

18. MISCELLANEOUS EXPENSES

Reasonable and necessary expenses incurred in service on behalf of the City shall be paid the Mayor and Council, provided that at the end of each month a detailed expense report is submitted and approved by the City Council.

19. EXPENSES: OUT-OF-TOWN TRAVEL FOR CITY BUSINESS

- A. Funds providing for Council representation at State and National conferences sponsored by affiliations of cities will be annually approved in the budget for the subject fiscal year. The City Council will by advance resolution grant authorization for out of town travel to specific places, for conference purposes. Members of the City Council will submit expense vouchers exceeding \$50 per day to attend out-of-town meetings and conferences, with additional allowances being made for transportation (paid at the air coach rate or gas mileage at current IRS guidelines, depending upon the mode of transportation) and lodging. Expenses may be authorized for payment by the City Manager, and a copy of the expense report form will be placed on the Council agenda under Reports and Communications.
- B. Detailed and receipted expenses, not to exceed \$150, to attend legislative committee hearings, legislative meetings, etc., may be authorized for payment by the City Manager without prior authorization by the Council, and a copy of the expense report form, along with receipts, will be placed on the Council agenda under Reports and Communications.

20. ABSENCES AT COUNCIL MEETINGS

In the event of an absence of a Council Member at a meeting, the City Manager is directed to supply such absent Council Member with information about any special meetings that may have been scheduled.

21. SUSPEND RULES

The Rules of Procedure may be waived by a simple majority.

22. COUNCIL DISCUSSION

No member of Council shall speak a second time on any item under discussion until all other members desiring to speak on that item have been heard. No member of Council shall be allowed to speak for more than five (5)-minutes at a time.

23. AGENDA ITEMS SUBMITTED BY COUNCIL MEMBERS:

Mayor and Council Members submitting an item for a vote shall send the item to the City Manager in a timely manner in writing. Staff professional opinion will be written to accompany the item for discussion and a vote on the matter. Presentations at the Council table shall be

limited to 15 minutes.

24. VIOLATIONS

The City Clerk shall be responsible for reporting violations of time limitations or speaking sequence to the Chair.

COUNCIL COMMENTS TEXT FOR FEBRUARY 23 AGENDA:

Council Member Broomfield would like to discuss the issue of increasing efficiency of conducting business at City Council meetings. Specifically, Mrs. Broomfield wishes to address the feasibility of ending City Council meetings at 11:00 PM with only one potential extension not to extend past midnight. Further, this extension could only be presented if there is no Closed Session scheduled. Additional components for discussion could include:

- 1) Enforcing the five-minute time limit. Some suggestions might include a second buzzer sounding after an additional minute (a total of six minutes now) has passed. If the speaker continues past the second buzzer, the microphone shuts off.
- 2) Regarding presentations. Only presentations which are scheduled on the agenda are honored. Groups seeking to present to Council on items of interest need to follow proper procedure to secure time.
- 3) Special interest groups. Each special interest group appoints a spokesperson for that group. If the group feels the need to present more than one speaker, additional speakers should not exceed five individuals.
- 4) Items not on the agenda. Individuals responding to this invitation should limit their comments to concerns or inquiries about matters pertaining to the City of Troy. The need to define "matters pertaining to the City of Troy" should be addressed by Council.



RULES OF PROCEDURE FOR THE CITY COUNCIL CITY OF TROY, MICHIGAN

Proposed: March 1, 2004

1.	APPOINTMENT OF MAYOR PRO TEM	1
2.	DESIGNATION OF ACTING MAYOR.....	1
3.	REGULAR MEETINGS.....	1
4.	AGENDA.....	1
5.	ORDER OF BUSINESS.....	1
6.	REGULAR BUSINESS.....	2
7.	CABLE CASTING OF CITY COUNCIL MEETINGS	2
8.	MINUTES	2
9.	PROCLAMATIONS	3
10.	RECONSIDERATION OF QUESTIONS	3
11.	RESCISSION OF QUESTIONS.....	3
12.	PUBLIC HEARING	3
13.	CONSENT AGENDA	3
14.	APPOINTMENTS.....	3
15.	VISITORS	4
16.	POSTPONE	54
17.	RULES OF ORDER	5
18.	MISCELLANEOUS EXPENSES.....	5
19.	EXPENSES: OUT-OF-TOWN TRAVEL FOR CITY BUSINESS.....	5
20.	ABSENCES AT COUNCIL MEETINGS	5
21.	SUSPEND RULES.....	55
22.	COUNCIL DISCUSSION.....	65
23.	AGENDA ITEMS SUBMITTED BY COUNCIL MEMBERS:	65
24.	VIOLATIONS.....	6

1. APPOINTMENT OF MAYOR PRO TEM

The selection of Mayor Pro Tem shall proceed in a linear fashion based on seat rotation in the following order: Lambert, Beltramini, Eisenbacher, Broomfield, Howrylak, Stine.

2. DESIGNATION OF ACTING MAYOR

In the absence or disability of the Mayor and the Mayor Pro Tem, the Council Member present who has served longest shall be designated Acting Mayor and shall perform the duties of the Mayor.

3. REGULAR MEETINGS

Regular meetings shall be held in the Council Chambers at 7:30 P.M on the first and third Monday each month, except for holidays or holiday-eves recognized by the City of Troy, regular or special election days, except school district elections, or unless canceled by resolution of the Council.

4. AGENDA

(a) Regular Agenda: A printed agenda for each regularly scheduled meeting shall be produced at least forty-eight (48) hours in advance of the meeting. Every item of business to come before the Council shall be filed with the City Clerk by noon on the Wednesday preceding the Monday on which the Council meets. It shall be the duty of the City Clerk to have delivered, as soon as practical, to each member of the Council a complete agenda of the items to be considered at the following meeting. Each item on the agenda shall have sufficient explanation to indicate its intent. All questions introduced that do not appear on the agenda will be referred to a later meeting, except by suspension of these rules. A packet, excluding all confidential items, will be posted on the City's Website at least 48 hours prior to Council meetings.

(b) Closed Session Agenda: Where a Closed Session is requested of a pending case, the specific name(s) is to be included pursuant to MCL 15.268 (e), even though the specific name(s) is not technically required under the Open Meetings Act. Where a Closed Session is requested of any collective bargaining unit, the specific name(s) is to be included pursuant to MCL 15.268 (c), even though not technically required under the Open Meetings Act.

5. ORDER OF BUSINESS

At each regular meeting of the Council, the business to be considered shall be taken up for consideration and disposition in the following order.

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Certificates of Appreciation
6. Carryover Items
7. Public Hearings

8. Postponed Items
- ~~9. Consent Agenda~~
 - ~~a. Approval of "F" Items NOT Removed for Discussion~~
 - ~~b. Address of "F" Items Removed for Discussion~~
- ~~10. Public Comment Council will move forward all of the items on which members of the audience would like to address:~~
 - ~~B. Items not on the Agenda~~
- ~~10. Consent Agenda~~
 - ~~Address Remaining E Items~~
- ~~11-10. Regular Business~~
 - ~~a. Address of "F" Items Advanced to be addressed by request of Audience Members~~
 - ~~b. Address Remaining "F" Items~~
- ~~12-11. Council Referrals - Action items brought forward by Mayor and Council~~
- ~~13-12. Council Comment~~
- ~~14-13. Reports and Communications~~
- ~~15-14. Public Comment - Limited to people who have not addressed Council during the 1st Public Comment Section Items not on the Agenda~~
- ~~16-15. Study Items~~
- ~~17-16. Public Comment Section~~
- ~~17. Closed Session~~
18. Adjournment

6. REGULAR BUSINESS

Persons interested in addressing the City Council on items, which appear on the printed Agenda under Regular Business, "F" Items, will be allowed to do so at the time the item is discussed upon recognition by the Chair (during the public comment portion, Item Number 10, of the agenda ~~item's discussion~~). Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt members of the public during their comments. For those addressing City Council, petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of Council and all other interested people, their time may be limited to not more than twice nor longer than five (5) minutes on any question /item, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 14, as amended August 4, 2003. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair.

7. CABLE CASTING OF CITY COUNCIL MEETINGS

All City Council Meetings will be broadcast on WTRY, with the exception of Closed meetings of City Council.

8. MINUTES

- a. Regular Minutes: The minutes will be distributed to the Council prior to their approval. The minutes will be placed on the Consent Agenda for approval.
- b. Closed Session Minutes: Where a Closed Session is requested for discussion of a pending case, the specific name(s) is to be included pursuant to MCL 15.268 (e), even

though the specific name(s) is not technically required under the Open Meetings Act. Where a Closed Session is requested of any collective bargaining unit, the specific name(s) of a collective bargaining unit is to be included pursuant to MCL 15.268 (c), even though not technically required under the Open Meetings Act.

9. PROCLAMATIONS

Proclamations shall be included in the agenda under Reports and Communications and may be brought before Council for consideration by any member. Proclamations will be placed on the Consent Agenda for approval.

10. RECONSIDERATION OF QUESTIONS

Reconsideration of any vote of the Council may be made by either side of the voted motion and shall require the affirmative vote of the majority of the Council Members.

11. RESCISSION OF QUESTIONS

Rescission of any vote of the Council shall require the affirmative vote of the majority of the Council Members.

12. PUBLIC HEARING

Public Hearings will be held after required notice has been provided. Notices shall inform recipients of possible continuations of hearings. The City Council may upon affirmative vote of a majority of its members "continue" said hearing at a future date designated in the resolution. If the City Council elects to continue the Public Hearing it will appear in the designated meeting Agenda under the topic of "Public Hearings". Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of Council.

13. CONSENT AGENDA

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may ask a question regarding an item as well as speak in opposition to the recommended action by removing an item from the Consent Agenda and have it considered as a separate item. Consistent with Order of Business Number 9, the City Council will remove the specific Consent Business "E" items, which audience members would like to address under item 9. The Mayor shall announce the items, which are to be removed. Any item so removed from the Consent Agenda shall be considered after approval of the remaining other items on the consent portion of the agenda. have been heard. Items will be taken individually and members of the audience will address Council prior to Council discussion of the individual item.

14. APPOINTMENTS

A. Appointments to Boards, Commissions and Committees:

The Mayor shall, with City Council concurrence, appoint members of Boards or Committees as governed by State Statute or local ordinances.

The Mayor Pro Tem will contact incumbents to determine their interest in being nominated for reappointment.

The Mayor or any Council Member desiring to nominate a person for appointment to a Board, Commission, or Committee shall submit such name, along with a brief summary of background and personal data as to nominee's qualifications, except that such a resume shall not be required for the re-nomination of a current member, or if the Council unanimously agrees that a resume is not necessary. Resumes will be submitted on or before the time of voting.

Nominations will occur during any regular meeting of the Council. A resolution to nominate will be considered during the "Regular Business" of the agenda. All nominations are subject to Section "B" which appears below.

B. Method of Voting on Nominees.

1. Where the number of nominees does not exceed the number of positions to be filled, a roll call vote shall be used.
2. Where the number of nominations exceeds the number of positions to be filled, voting shall take place by the City Clerk calling the roll of the Council and each Council Member is to indicate the names of the individuals he/she wishes to fill the vacancies
3. When no candidate receives a majority vote, the candidate(s) with the least number of votes shall be eliminated from the ensuing ballot.
4. No member of the City Council shall serve on any committee, commission or board of the City of Troy, except the Retirement System Board of Trustees, unless membership is required by Statute or the City Charter.
5. Persons nominated, but not appointed during this process will be sent a letter thanking them for their willingness to serve the community.
6. Recognition will be given to persons who have concluded their service to the community on Boards and Commissions.

15. VISITORS

Any person not a member of the Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. Consistent with Order of Business #~~544~~, the City Council will move forward the specific Regular Business "F" items, which audience members would like to address under item 10A. The Mayor shall announce the items which

are to be moved forward and will ask the audience if there are any additional items which they would like to address. All Regular Business "F" Items that members of the audience would like to address will be brought forth and acted upon at this time. Items will be taken individually and members of the audience will address council prior to council discussion of the individual item.

16. POSTPONE

A motion to postpone may be made for a definite period of time. Items will automatically appear on the appropriate agenda.

17. RULES OF ORDER

Robert's Rules of Order, Newly Revised 10th Edition, as clarified by the City Clerk, is hereby adopted and made a part hereof, except as modified by these Rules of Procedure, the Charter, and the City Code.

18. MISCELLANEOUS EXPENSES

Reasonable and necessary expenses incurred in service on behalf of the City shall be paid the Mayor and Council, provided that at the end of each month a detailed expense report is submitted and approved by the City Council.

19. EXPENSES: OUT-OF-TOWN TRAVEL FOR CITY BUSINESS

A. Funds providing for Council representation at State and National conferences sponsored by affiliations of cities will be annually approved in the budget for the subject fiscal year. The City Council will by advance resolution grant authorization for out of town travel to specific places, for conference purposes. Members of the City Council will submit expense vouchers exceeding \$50 per day to attend out-of-town meetings and conferences, with additional allowances being made for transportation (paid at the air coach rate or gas mileage at current IRS guidelines, depending upon the mode of transportation) and lodging. Expenses may be authorized for payment by the City Manager, and a copy of the expense report form will be placed on the Council agenda under Reports and Communications.

B. Detailed and receipted expenses, not to exceed \$150, to attend legislative committee hearings, legislative meetings, etc., may be authorized for payment by the City Manager without prior authorization by the Council, and a copy of the expense report form, along with receipts, will be placed on the Council agenda under Reports and Communications.

20. ABSENCES AT COUNCIL MEETINGS

In the event of an absence of a Council Member at a meeting, the City Manager is directed to supply such absent Council Member with information about any special meetings that may have been scheduled.

21. SUSPEND RULES

The Rules of Procedure may be waived by a simple majority.

22. COUNCIL DISCUSSION

No member of Council shall speak a second time on any item under discussion until all other members desiring to speak on that item have been heard. No member of Council shall be allowed to speak for more than five (5)-minutes at a time.

23. AGENDA ITEMS SUBMITTED BY COUNCIL MEMBERS:

Mayor and Council Members submitting an item for a vote shall send the item to the City Manager in a timely manner in writing. Staff professional opinion will be written to accompany the item for discussion and a vote on the matter. Presentations at the Council table shall be limited to 15 minutes.

24. VIOLATIONS

The City Clerk shall be responsible for reporting violations of time limitations or speaking sequence to the Chair.



RULES OF PROCEDURE FOR THE CITY COUNCIL CITY OF TROY, MICHIGAN

Proposed: April 12, 2004

1.	APPOINTMENT OF MAYOR PRO TEM	1
2.	DESIGNATION OF ACTING MAYOR	1
3.	REGULAR MEETINGS	1
4.	AGENDA	1
5.	ORDER OF BUSINESS	1
6.	REGULAR BUSINESS.....	3
7.	CABLE CASTING OF CITY COUNCIL MEETINGS.....	3
8.	MINUTES	3
9.	PROCLAMATIONS	3
10.	RECONSIDERATION OF QUESTIONS.....	3
11.	RESCISSION OF QUESTIONS.....	4
12.	PUBLIC HEARING	4
13.	CONSENT AGENDA	4
14.	APPOINTMENTS	4
15.	VISITORS.....	5
16.	POSTPONE	5
17.	RULES OF ORDER	5
18.	MISCELLANEOUS EXPENSES	6
19.	EXPENSES: OUT-OF-TOWN TRAVEL FOR CITY BUSINESS.....	6
20.	ABSENCES AT COUNCIL MEETINGS.....	6
21.	SUSPEND RULES	6
22.	COUNCIL DISCUSSION.....	6
23.	AGENDA ITEMS SUBMITTED BY COUNCIL MEMBERS:	6
24.	VIOLATIONS.....	7

1. APPOINTMENT OF MAYOR PRO TEM

The selection of Mayor Pro Tem shall proceed in a linear fashion based on seat rotation in the following order: ~~Lambert~~, Beltramini, Eisenbacher, Broomfield, Howrylak, Stine, ~~Lambert~~.

2. DESIGNATION OF ACTING MAYOR

In the absence or disability of the Mayor and the Mayor Pro Tem, the Council Member present who has served longest shall be designated Acting Mayor and shall perform the duties of the Mayor.

3. REGULAR MEETINGS

Regular meetings shall be held in the Council Chambers at 7:30 P.M on the first and third Monday each month, except for holidays or holiday-eves recognized by the City of Troy, regular or special election days, except school district elections, or unless canceled by resolution of the Council.

4. AGENDA

(a) Regular Agenda: A printed agenda for each regularly scheduled meeting shall be produced at least forty-eight (48) hours in advance of the meeting. Every item of business to come before the Council shall be filed with the City Clerk by noon on the Wednesday preceding the Monday on which the Council meets. It shall be the duty of the City Clerk to have delivered, as soon as practical, to each member of the Council a complete agenda of the items to be considered at the following meeting. Each item on the agenda shall have sufficient explanation to indicate its intent. All questions introduced that do not appear on the agenda will be referred to a later meeting, except by suspension of these rules. A packet, excluding all confidential items, will be posted on the City's Website at least 48 hours prior to Council meetings.

(b) Closed Session Agenda: Where a ~~a~~ Closed Session is requested of a pending case, the specific name(s) is to be included pursuant to MCL 15.268 (e), even though the specific name(s) is not technically required under the Open Meetings Act. Where a Closed Session is requested of any collective bargaining unit, the specific name(s) is to be included pursuant to MCL 15.268 (c), even though not technically required under the Open Meetings Act.

5. ORDER OF BUSINESS

At each regular meeting of the Council, the business to be considered shall be taken up for consideration and disposition in the following order.

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call

~~5.~~ A. Public Hearings

~~5.6.~~ B. Certificates of Appreciation Recognition

~~6.7.~~ C. Carryover Items

~~7.~~ Public Hearings

8. D. Postponed Items

9. E. Public Comment – Limited to “F” Consent Agenda Items

Public comment is limited to not more than twice nor longer than five (5) minutes, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended April 12, 2004.

a. Council will move forward all of the items on which members of the audience would like to address:

B. Items not on the Agenda

10. E. Consent Agenda

a. Approval of “F” Items NOT Removed for Discussion

b. Address of “F” Items Removed for Discussion

Address Remaining E Items

~~11.~~ G. Public Comment – Limited to “H” Regular Business Items

Public comment is limited to not more than twice nor longer than five (5) minutes, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended April 12, 2004.

~~11-12.~~ H. Regular Business

Address Remaining F Items

~~12-13.~~ I. Council Referrals - Items brought forward by Mayor and Council will be placed on the next Regular Meeting Agenda for Action. The items are not listed for discussion or action

Action items brought forward by Mayor and Council

~~13-14.~~ J. Council Comments - Items brought forward by Mayor and Council will be placed on the next Regular Meeting Agenda for Action. The items are not listed for discussion or action

~~14-15.~~ K. Reports and Communications

~~15-16.~~ L. Public Comment – Limited to people who have not addressed Council during the 1st Public Comment Section. Public comment is limited to not more than twice nor longer than five (5) minutes, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended April 12, 2004. Comments are for all remaining portions of the agenda and non-agenda related items. Comments pertaining to the “F” and “H” items are allowed for people who did not address Council during the first two Public Comment Sections. City Council requests that if you do have a question or concern to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.

~~16-17.~~ M. Study Items

~~17-18.~~ N. Public Comment Section - Public comment is limited to not more than twice nor longer than five (5) minutes, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended April 12, 2004. City Council requests that if you do have a question or concern to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City

~~*Manager, and if still not resolved satisfactorily, to the Mayor and Council.*~~
~~18.19.~~ Adjournment

6. REGULAR BUSINESS

Persons interested in addressing the City Council on items, which appear on the printed Agenda under Regular Business, "H" Items, will be allowed to do so at the time the item is discussed upon recognition by the Chair (during the public comment portion Item Number 11 "G" of the agenda ~~item's discussion~~). ~~Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt members of the public during their comments.~~ For those addressing City Council, petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of Council ~~and all~~ All other interested people ~~coments, their time~~ may be limited to not more than twice nor longer than five (5) minutes on any question at designated Public Comment Sections of the Agenda, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article ~~14 15~~, as amended ~~August 4, 2003 April 12, 2004~~. ~~Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair.~~

Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt members of the public during their comments.

7. CABLE CASTING OF CITY COUNCIL MEETINGS

All City Council Meetings will be broadcast on WTRY, with the exception of Closed meetings of City Council.

8. MINUTES

- a. Regular Minutes: The minutes will be distributed to the Council prior to their approval. The minutes will be placed on the Consent Agenda for approval.
- b. Closed Session Minutes: Where a Closed Session is requested for discussion of a pending case, the specific name(s) is to be included pursuant to MCL 15.268 (e), even though the specific name(s) is not technically required under the Open Meetings Act. Where a Closed Session is requested of any collective bargaining unit, the specific name(s) of a collective bargaining unit is to be included pursuant to MCL 15.268 (c), even though not technically required under the Open Meetings Act.

9. PROCLAMATIONS

Proclamations shall be included in the agenda under Reports and Communications and may be brought before Council for consideration by any member. Proclamations will be placed on the Consent Agenda for approval.

10. RECONSIDERATION OF QUESTIONS

Reconsideration of any vote of the Council may be made by either side of the voted motion and shall require the affirmative vote of the majority of the Council Members.

11. RESCISSION OF QUESTIONS

Rescission of any vote of the Council shall require the affirmative vote of the majority of the Council Members.

12. PUBLIC HEARING

Public Hearings will be held after required notice has been provided. Notices shall inform recipients of possible continuations of hearings. The City Council may upon affirmative vote of a majority of its members "continue" said hearing at a future date designated in the resolution. If the City Council elects to continue the Public Hearing it will appear in the designated meeting Agenda under the topic of "Public Hearings". Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of Council.

13. CONSENT AGENDA

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may ask a question regarding an item as well as speak in opposition to the recommended action by removing an item from the Consent Agenda and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. Public comment on Consent Agenda Items will be permitted under Agenda Item 9 "E" Public Comment– Limited to "F" Consent Agenda Items - Public comment is limited to not more than twice nor longer than five (5) minutes, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended April 12, 2004.

14. APPOINTMENTS

A. Appointments to Boards, Commissions and Committees:

The Mayor shall, with City Council concurrence, appoint members of Boards or Committees as governed by State Statute or local ordinances.

The Mayor Pro Tem will contact incumbents to determine their interest in being nominated for reappointment.

The Mayor or any Council Member desiring to nominate a person for appointment to a Board, Commission, or Committee shall submit such name, along with a brief summary of background and personal data as to nominee's qualifications, except that such a resume shall not be required for the re-nomination of a current member, or if the Council unanimously agrees that a resume is not necessary. Resumes will be submitted on or before the time of voting.

Nominations will occur during any regular meeting of the Council. A resolution to

nominate will be considered during the "Regular Business" of the agenda. All nominations are subject to Section "B" which appears below.

B. Method of Voting on Nominees.

1. Where the number of nominees does not exceed the number of positions to be filled, a roll call vote shall be used.
2. Where the number of nominations exceeds the number of positions to be filled, voting shall take place by the City Clerk calling the roll of the Council and each Council Member is to indicate the names of the individuals he/she wishes to fill the vacancies
3. When no candidate receives a majority vote, the candidate(s) with the least number of votes shall be eliminated from the ensuing ballot.
4. No member of the City Council shall serve on any committee, commission or board of the City of Troy, except the Retirement System Board of Trustees, unless membership is required by Statute or the City Charter.
5. Persons nominated, but not appointed during this process will be sent a letter thanking them for their willingness to serve the community.
6. Recognition will be given to persons who have concluded their service to the community on Boards and Commissions.

15. VISITORS

Any person not a member of the Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes ~~on any question during the Public Comment Sections of the Agenda~~, unless so permitted by the Chair. ~~The Council may waive the requirements of this section by a majority of the Council Members. Consistent with Order of Business #11, the City Council will move forward the specific Business items, which audience members would like to address under item 10A. The mayor shall announce the items which are to be moved forward and will ask the audience if there are any additional items which they would like to address. All Business Items that members of the audience would like to address will be brought forth and acted upon at this time. Items will be taken individually and members of the audience will address council prior to council discussion of the individual item.~~

16. POSTPONE

A motion to postpone may be made for a definite period of time. Items will automatically appear on the appropriate agenda.

17. RULES OF ORDER

Robert's Rules of Order, Newly Revised 10th Edition, as clarified by the City Clerk, is hereby

adopted and made a part hereof, except as modified by these Rules of Procedure, the Charter, and the City Code.

18. MISCELLANEOUS EXPENSES

Reasonable and necessary expenses incurred in service on behalf of the City shall be paid the Mayor and Council, provided that at the end of each month a detailed expense report is submitted and approved by the City Council.

19. EXPENSES: OUT-OF-TOWN TRAVEL FOR CITY BUSINESS

A. Funds providing for Council representation at State and National conferences sponsored by affiliations of cities will be annually approved in the budget for the subject fiscal year. The City Council will by advance resolution grant authorization for out of town travel to specific places, for conference purposes. Members of the City Council will submit expense vouchers exceeding \$50 per day to attend out-of-town meetings and conferences, with additional allowances being made for transportation (paid at the air coach rate or gas mileage at current IRS guidelines, depending upon the mode of transportation) and lodging. Expenses may be authorized for payment by the City Manager, and a copy of the expense report form will be placed on the Council agenda under Reports and Communications.

B. Detailed and receipted expenses, not to exceed \$150, to attend legislative committee hearings, legislative meetings, etc., may be authorized for payment by the City Manager without prior authorization by the Council, and a copy of the expense report form, along with receipts, will be placed on the Council agenda under Reports and Communications.

20. ABSENCES AT COUNCIL MEETINGS

In the event of an absence of a Council Member at a meeting, the City Manager is directed to supply such absent Council Member with information about any special meetings that may have been scheduled.

21. SUSPEND RULES

The Rules of Procedure may be waived by a simple majority.

22. COUNCIL DISCUSSION

No member of Council shall speak a second time on any item under discussion until all other members desiring to speak on that item have been heard. No member of Council shall be allowed to speak for more than five (5)-minutes at a time.

23. AGENDA ITEMS SUBMITTED BY COUNCIL MEMBERS:

Mayor and Council Members submitting an item for a vote shall send the item to the City Manager in a timely manner in writing. Staff professional opinion will be written to accompany the item for discussion and a vote on the matter. Presentations at the Council table shall be limited to 15 minutes.

24. VIDEO AND AUDIO PRESENTATIONS

Video and Audio Presentations may not be submitted for presentation at a Council meeting unless submitted by 4:30 PM the Thursday prior to the meeting. Inappropriate material will be prohibited.

2425. VIOLATIONS

The City Clerk shall be responsible for reporting violations of time limitations or speaking sequence to the Chair.